

Pre-K and Charter Schools: Where State Policies Create Barriers to Collaboration

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Foreword

by *Michael J. Petrilli and Amber M. Northern*

You don't have to be a diehard liberal to believe that it's nuts to wait until kids—especially poor kids—are five years old to start formal education. We know that many children arrive in kindergarten with major gaps in knowledge, vocabulary, and social skills. We know that first-rate preschools can make a big difference on the readiness front. And we know from the work of Richard Wenning and others that even those K–12 schools that are helping poor kids make significant progress aren't fully catching them up to their more affluent peers. Six hours a day spread over thirteen years isn't enough. Indeed, as our colleague Chester Finn calculated years ago, that amount of schooling adds up to just 9 percent of a person's life on this planet by the age of eighteen. We need to start earlier and go faster.

But the challenge in pre-K, as in K–12 education, is one of quality at scale. As much as preschool education makes sense—as much as it *should* help kids get off to an even start, if not a Head Start—the actual experience has been consistently disappointing. Quality is uneven. Money is spread thin. Teachers are poorly educated. And benefits quickly fade. There are exceptions, of course, but it's no easier to run a great high-poverty preschool than to run a great high-poverty elementary school. It's possible, but rare.

So if policymakers want to ramp up high-quality preschool programs, where should they turn? To the big and often dysfunctional urban school districts that struggle so mightily to get the job done for K–12 students? To Head Start centers, which continue to resist a focus on academic preparation and hire mostly low-wage, poorly trained instructors? To for-profit preschool providers? (We don't hear many liberals proposing *that*.)

What the Left and Right *can* get behind are pre-K programs that deliver the goods: nonprofit institutions able to prepare young children, and especially low-income children, for the rigors of education today. What could be a more ideal solution, both politically and substantively, than high-quality charter schools?

Why on earth, then, is it so difficult for America's high-impact, “no-excuses” charter schools—committed as they are to helping poor kids succeed in K–12 education and proceed to good colleges and worthwhile careers—to participate in pre-K programs? Who wouldn't want the KIPP or Achievement Firsts or Uncommon Schools of the world to be able to get started with three-year olds and work their edu-charm as early as possible?

Commonsensible though it may be, however, the preschool and charter school movements have grown up parallel to one another, never intersecting as often or effectively as they could. Because of the siloed nature of policymaking and finance, charter schools in many states are greatly restricted (and in some places even prohibited) from offering preschool. That's what we found in this pathbreaking study of state policies related to charter preschools.

To conduct the analysis, we approached early childhood and charter school expert Sara Mead at Bellwether Education Partners. Sara is an education policy veteran, having once directed the New America Foundation's Early Education Initiative and spent time at Education Sector and the Progressive Policy Institute. She now serves on the District of

Columbia Public Charter School Board. Sara’s colleague Ashley LiBetti Mitchel, a savvy public policy analyst in her own right, co-designed and co-authored the study.

Among their most dismaying findings: Charter schools cannot offer state-funded pre-K in the thirteen states that lack either charter laws or state pre-K programs. In nine other cases, state law is interpreted as prohibiting charters from offering pre-K. Where the practice *is* permitted, charters still face all sorts of barriers, including meager pre-K funding (and/or district monopoly of funds), woefully small programs, and restrictions on new providers. Charter schools are often barred from automatically enrolling pre-K students into their kindergarten programs without first subjecting them to a lottery.

In other words, charter schools get the short end of the stick. Again.

But it doesn’t have to be this way. As this report proposes, we can do much to demolish the barriers that prevent the charter and pre-K sectors from working together. But that requires us to understand how two programs with very different origins can be brought together. *New York Times* columnist David Brooks gets it. In November 2014, he posited that “a collaborative president might jam a mostly Democratic idea, federally financed preschool, and a mostly Republican idea, charter schools, into one proposal.” This horse trade—more support for charter schools in exchange for more support for preschool—might represent a bipartisan way forward. Why *not* charter preschools? Why *not* charter elementary schools that start at age three?

Policymakers, this is low-hanging fruit. Why *not* pick it?

Acknowledgments

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We are grateful for the thoughtful (and careful) analysis conducted by Sara Mead and Ashley LiBetti Mitchel. Thanks also to Research and Policy Associate Victoria Sears, who adeptly managed the project, provided input on drafts, and shepherded the final product across the finish line. Chester E. Finn, Jr. offered valuable feedback and edits to drafts, Michelle Lerner managed dissemination, and Kevin Mahnken handled report production. Kudos to Shannon Last and Pamela Tatz, who served as copy editors; Edward Alton, who designed the report’s layout; and Sam Whitehead, who illustrated the cover design.

The authors would also like to thank the many state pre-K and charter school program staff, charter leaders, and others who shared information and answered myriad policy questions about their states. They’re grateful as well to Dan Fuchs, Isaac Guttman, Katherine Congleton, and Christophe Viret for providing research support. Any errors of analysis or fact in this report are the responsibility of the authors alone and should not be attributed to the individuals named above.

Executive Summary

Both charter schools and preschools have shown tremendous potential to change the educational and life trajectories of low-income kids. In combination, they could do even more to improve the odds for our nation's most vulnerable youngsters. But current policy and practice in many states limit the ability of charter schools to offer state-funded pre-K programs. Even though most states use a variety of providers to offer preschool—including public schools, Head Start programs, community-based child care centers, and for-profit and faith-based preschools—charter schools are often not among them.

This report asks and documents the answers to three key questions:

- Can charter elementary schools offer state-funded pre-K?
- How many charter schools serve preschoolers?
- What types of barriers prevent charter schools from offering pre-K?

We analyzed state pre-K and charter statutes, regulations, and agency policies in the thirty-six jurisdictions that had both charter schools and state-funded pre-K programs at the start of the 2014–15 school year. We also interviewed state charter leaders, policymakers, and pre-K program staff to better understand the barriers that charters face in accessing pre-K funding.

Here is what we found.

1. Thirty-five states and the District of Columbia have both state-funded pre-K and charter laws. Of those, thirty-two have at least one charter school serving preschoolers.
2. Though at least 965 charter schools *nationally* offer preschool, only a fraction of them do in most states.

More specifically, among states with both state-funded pre-K and charter school laws:

- Nineteen have less than 20 percent of elementary charters offering preschool.
- Twelve have between 20 and 50 percent of elementary charters offering preschool.
- Just five have more than 50 percent of elementary charter schools offering preschool.

Alternatively, we can look at the raw number of charter schools that offer preschool by state (see Figure ES-1 below). Of the states that offer both state pre-K and charter schools, we see that four states have no charters offering preschool; thirteen have between one and five; eleven states have between six and twenty; and eight have more than twenty. Some of these charter schools do not receive state pre-K funds, instead drawing on public funds, child care subsidies, parent tuition payments, and private philanthropy to offer preschool.

Figure ES-1. States by Number of Charters that Offer Preschool

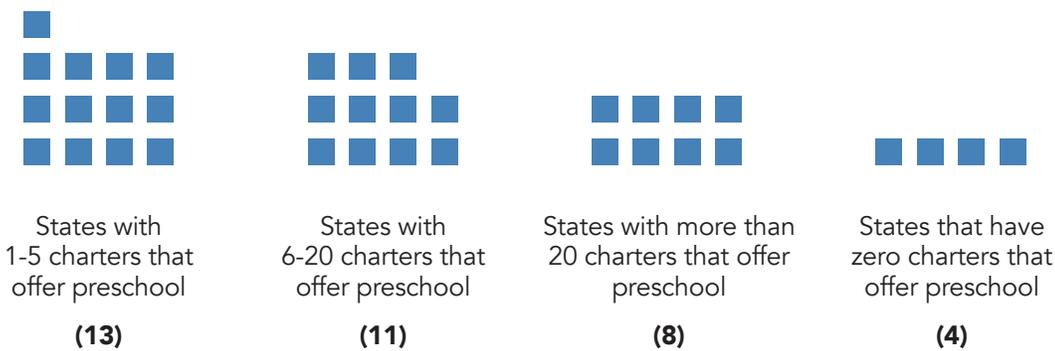


Table ES-1 shows the number and percentage of charter schools offering preschool by state.

Table ES-1. Number and Percentage of Charter Schools Offering Preschool by State

State	Pre-K Charters	Elementary Charters	Percentage (%)
Alaska	2	20	10%
Arizona	5	374	1%
Arkansas	2	14	14%
California	239	709	34%
Colorado	38	135	28%
Connecticut	6	12	50%
District of Columbia	58	53	109% ⁺
Delaware	1	15	7%
Florida	102	331	31%
Georgia	9	61	15%
Illinois	17	65	26%
Indiana	3	50	6%
Iowa	1	1	100%
Kansas	0	5	0%
Louisiana	34	92	37%
Maine	1	2	50%

Executive Summary

State	Pre-K Charters	Elementary Charters	Percentage (%)
Maryland	11	34	32%
Massachusetts	13	38	34%
Michigan	76	250	30%
Minnesota	20	100	20%
Missouri	3	28	11%
Nevada	2	28	7%
New Jersey	7	63	11%
New Mexico	5	36	14%
New York	9	161	6%
North Carolina	5	119	4%
Ohio	0	228	0%
Oklahoma	7	12	58%
Pennsylvania	5	111	5%
Rhode Island	1	12	8%
South Carolina	6	33	18%
Tennessee	9	26	35%
Texas	195	364	54%
Virginia	0	2	0%
Washington	0	1	0%
Wisconsin	73	108	68%

Note: Authors' estimates based on interviews and publicly available state data. See Appendix B for more information on data limitations.

† The number of District of Columbia charter schools offering pre-K is higher than the number of elementary schools because it has several schools that serve pre-K exclusively and do not offer an elementary program, as well as one school that offers both pre-K and adult education but does not serve K-12 students.

Charter schools in all but four states face at least one significant barrier to offering state pre-K. Among the thirty-six jurisdictions we reviewed:

- Nine have statutory or policy barriers that preclude charter schools from offering state-funded pre-K. In some of these states, charters have found ways to circumvent barriers by, for example, creating separate nonprofit organizations that are not technically part of the charter school to operate pre-K. Children attending these affiliated programs are not considered students of the charter school.

- Twenty-three other states technically permit charter schools to offer state-funded pre-K but have created practical barriers—often in the application, approval, or funding processes—that significantly limit their ability to do so in practice.

Table ES-2 quantifies various state barriers that charter schools face in attempting to offer pre-K.

Table ES-2. Funding Barriers by the Numbers

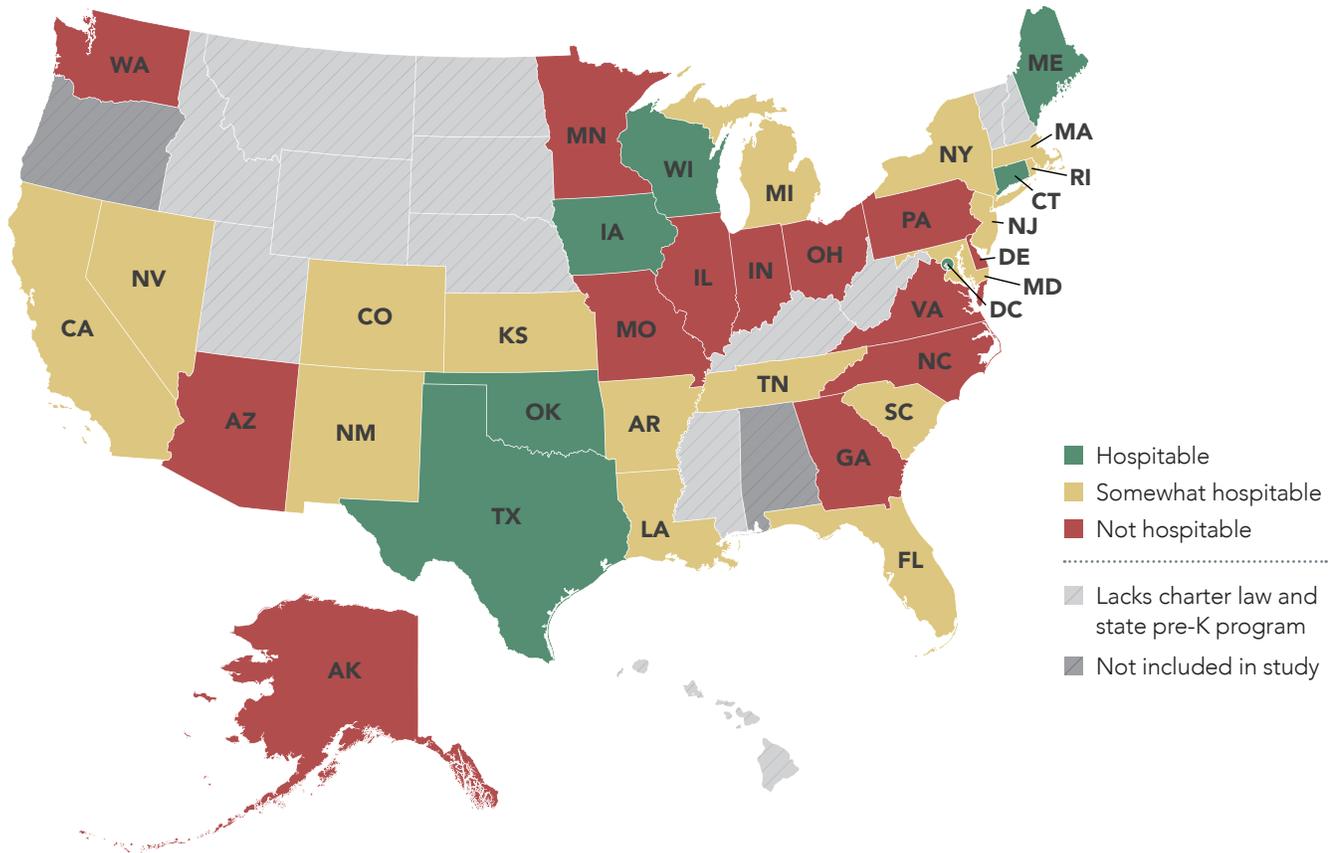
Barriers	# of states
Low pre-K funding	22
Small pre-K program	12
Charters are not permitted to automatically enroll pre-K students into their kindergarten programs	10
Local districts have a monopoly on pre-K funds	9
Charter law, pre-K law, or other state law prohibits charter schools from offering pre-K, either in explicit statutory language or by agency interpretation	9
Funding process privileges existing providers	5
New providers can access funding only when total pre-K funding increases	4
Funding is only available in specific regions	3

The most common practical barriers include:

- **Low funding levels.** Twenty-two states provide pre-K funding at much lower per-pupil levels than what charters receive for K-12 students, making it financially difficult for them to offer pre-K.
- **Small pre-K programs.** Twelve of the states in our sample have state-funded pre-K programs that serve fewer than 10 percent of their four-year-olds. When pre-K programs are so limited, few providers—whether charter schools or otherwise—are able to access funds.
- **Barriers to kindergarten enrollment.** In ten states, charter schools may not automatically enroll pre-K students in their kindergarten programs. Children who complete pre-K at a charter school must go through a lottery to enroll in the charter’s kindergarten program if the school is oversubscribed. This policy may discourage charter schools from offering pre-K, since there is no guarantee that they’ll be able to continue serving their own pre-K students the following year.
- **Local district monopolies on pre-K funds.** In nine states, charter schools can access pre-K funding only if their local school district agrees to share it with them. While most of these states encourage districts to share pre-K funds with other providers, such as local child care centers and private preschools, districts often wield final authority over which providers receive funding—and many choose not to include charters.

Putting our data together, we evaluated the degree to which states can be said to offer a “hospitable” climate for charter schools interested in providing pre-K education. The results are shown in Figure ES-2.

Figure ES-2. Which States Offer a Hospitable Climate for Charters Seeking to Offer Pre-K?



As shown, seven jurisdictions are *hospitable*: Washington, D.C., Oklahoma, Texas, Iowa, Maine, Wisconsin, and Connecticut. Sixteen states are *somewhat hospitable*, among them Michigan, Arkansas, New Mexico, Colorado, and Maryland. Thirteen states are *not hospitable*, including Pennsylvania, Delaware, North Carolina, Ohio, and Indiana. (Thirteen other states are not rated because they lack charter laws, state pre-K programs, or both.)

Recommendations

Policymakers and advocates should not only expand high-quality charter schools and high-quality pre-K for needy children; they should also alter policies and practices that deter the former from offering the latter.

State policymakers should:

- Carefully consider how charter, pre-K, and school finance policies interact with one another.
- Ensure that the state definition of a charter school includes pre-K in the activities or grade levels that charter schools are permitted to offer.
- Establish clear policies that allow charter schools operating publicly funded pre-K programs to enroll the children served by those programs directly into their kindergarten classes.
- Make certain that charter schools have equal access to state pre-K funds. Specific strategies will depend on both the structure of the state's pre-K program and the entities responsible for authorizing charter schools.
- Require districts that offer widespread pre-K programs to transfer funding to charters for each district student enrolled in charter pre-K.
- Increase authorizers' role in overseeing charter pre-K programs.
- Collect better data on charter schools that offer pre-K and on charter school participation in pre-K programs.

Federal policymakers should:

- Include pre-K in the federal definition of charter schools.
- Revise federal Charter School Program (CSP) guidance on enrolling students from pre-K into kindergarten to allow charter schools to automatically matriculate their pre-K students into kindergarten classes.
- Ensure that federal preschool programs, including Head Start, provide equitable access to funding for charter schools.

Funders, advocates, and other stakeholders should:

- Support additional research on charters offering early childhood programs.
- Build authorizer capacity to oversee pre-K initiatives.

Introduction

Over the past decade, both charter schools and pre-K have shown tremendous potential to change the educational and life trajectories of low-income kids. On their own, high-quality pre-K programs and high-performing charter schools are narrowing achievement gaps and boosting learning for children in poverty. Combined, they have the potential to do even more.

Research shows that high-quality charter schools offer greater learning gains for poor children than the traditional schools they would otherwise attend, particularly in urban areas. (See *Evidence on Charter Schools*.) But as states adopt new, more rigorous standards for college and career readiness, even schools that produce strong student learning gains—more than a year’s growth—may not produce enough growth to enable students who start out far behind to reach college and career readiness.

At the same time, the best pre-K programs are allowing at-risk kids to enter school ready to succeed—and producing learning gains that last into elementary school. (See *Evidence on Pre-K*, page 11.) But it’s up to K–12 schools to carry the ball the next thirteen years and graduate college- and career-ready students.

In other words, neither high-quality pre-K nor effective charter schools alone may be sufficient to realize our long-term goals for the nation’s most at-risk students. In combination, however, they could do dramatically more.

Unfortunately, current policy and practice in many states create barriers that prevent high-quality pre-K and high-performing charter schools from working together to improve long-term outcomes for children. In large part, this is because the number of both pre-K and quality charter slots in many places is insufficient to reach all students who might benefit. But it’s also the result of policymaking done in silos. In many states, a lack of alignment among charter school, pre-K, and finance policies makes it difficult for charter schools to access state pre-K funds, or to ensure that the children served with those funds can continue into charter elementary programs.

EVIDENCE ON CHARTER SCHOOLS

Similar to high-quality pre-K programs, charter schools have proven particularly effective at improving learning for students in poverty. A recent evaluation by the Center for Research on Education Outcomes (CREDO) at Stanford University found that charter students living in poverty gained fourteen days of additional learning in reading and twenty-two days of additional learning in math each year compared to their peers attending traditional public schools.¹ A study of charter schools in forty-one urban areas, including the cities with the highest concentrations of charter schools, found even more impressive results: Charter students living in poverty in these cities gained

seventeen days of learning in reading and twenty-four days of learning in math each year compared to their district peers.² This research also indicates that charters are producing greater learning gains for black and Hispanic students, as well as for black and Hispanic students living in poverty.

Other rigorous research on charter school impacts has reached similar findings. Collectively, the research suggests that charters, on average, produce slightly greater learning gains than traditional public schools; that some of them produce much greater learning gains than others; that elementary and middle school charters appear to produce

slightly better results than high school charters (compared to traditional public schools); and that charters appear to most benefit low-income and black students.³

While this research suggests that charter schools are improving outcomes for historically underserved and at-risk student subgroups, it also shows wide variation in charter school performance overall. While roughly one-quarter of charter schools produce greater learning gains than traditional public schools in reading, and nearly one-third do so in math, one in five charter schools produced worse results than traditional public schools in reading—and nearly one-third did so in math (the rest produced results roughly comparable to traditional public schools). Charter performance also varies substantially across cities and states.

This variation indicates that charter schools are not necessarily a magic bullet for improving the learning and lives of at-risk students; rather, high-performing charter schools are what make

the difference. For this reason, states seeking to eliminate barriers to charters accessing state pre-K funding should also ensure that only high-quality charter schools—those that produce student learning gains at least as good as those of comparable, traditional public schools—have access to pre-K funding.

1 CREDO, “National Charter School Study: 2013” (Stanford, CA: Center for Research on Education Outcomes, 2013), <http://credo.stanford.edu/documents/NCSS%202013%20Final%20Draft.pdf>.

2 CREDO, “Urban Charter School Study: Report on 41 Regions” (Stanford, CA: Center for Research on Education Outcomes, 2015), <https://urbancharters.stanford.edu/download/Urban%20Charter%20School%20Study%20Report%20on%2041%20Regions.pdf>.

3 Julian Betts and Y. Emily Tang, “Effect of Charter Schools on Student Achievement: A Meta-Analysis” (Seattle, WA: Center on Reinventing Public Education, 2011), http://www.crpe.org/sites/default/files/pub_NCSRP_BettsTang_Oct11_0.pdf.

These disconnected policies, and the barriers they create, are likely to become increasingly problematic as both the charter sector and the state pre-K movement continue to grow. Nationally, the charter sector has grown 6 percent annually over the past five years. Charters currently serve more than one-quarter of students in twenty-one cities, including more than half of students in New Orleans and Detroit. And they’re on track to serve the majority of students in several more cities in the next five years.¹ State pre-K programs are also growing. (See *What is State Pre-K?*, page 13.) Although the pace of pre-K growth slowed during the economic recession of the late 2000s, states as diverse as Michigan, Alabama, and New York have begun to expand pre-K funding and slots again. And long-time pre-K holdouts—Indiana, Mississippi, and Montana—have recently created programs. In addition to state efforts, federal initiatives such as the Obama administration’s Preschool Development Grants could further accelerate the pace of pre-K expansion.

As policymakers and advocates seek to support the growth of both high-quality state pre-K and charter schools, they have a tremendous opportunity to improve educational opportunities for American children—particularly those from low-income backgrounds. But if they fail to consider how charter schools and pre-K might work together, they’ll miss out on a huge opportunity.

This report aims to help policymakers think strategically about how to marry charter and pre-K policies to improve children’s long-term education outcomes. It identifies major policy and practical barriers that currently prevent this from happening and offers specific policy recommendations for eliminating them and improving coordination between the sectors.

As supporters of diverse delivery in both early childhood and K–12 education, we recognize that charter schools are only one of a variety of providers that can offer high-quality pre-K learning experiences for children. And we by no means believe that charters are necessarily better pre-K providers than the range of other organizations—community-based child care providers, private nursery schools, Head Start programs, and district schools—that currently serve preschool students. We also recognize that not all charter schools have the expertise to offer pre-K—or the desire to do so. But we believe charter schools that offer strong elementary programs and want to serve younger students should have access to public pre-K funding, just as other providers do.

Approach and Key Questions

Quality and educational effectiveness are crucial for improving student outcomes in both pre-K and charter schools. But it is not our aim to determine whether states have high-quality pre-K programs, nor to evaluate the quality of pre-K programs currently operated by charter schools. Instead, we focus on the more fundamental yet largely unexplored question of whether or not charter schools are able to offer state-funded pre-K.

Specifically, we address the following three research questions:

- Can charter schools offer state-funded pre-K?
- How many charter schools serve preschoolers?
- What types of barriers prevent charter schools from offering pre-K?

EVIDENCE ON PRE-K

Research shows that high-quality pre-K programs can significantly boost young children's learning—enabling them to enter school prepared to succeed, producing learning gains that last well into the elementary grades, and potentially improving long-term life outcomes.

The results of small, high-quality pre-K programs are widely known. Children in poverty who participated in the Perry Preschool Program—a high-quality pre-K program conducted in Ypsilanti, Michigan, in the 1960s—had increased IQs at age five, higher school achievement in high school, and a greater likelihood of graduating high school than students in a control group. As adults, Perry Preschool students were more likely to be employed, had higher earnings, and were less likely to be arrested or on public assistance than control group peers.¹ The Chicago Parent Child Center project, which provided high-quality pre-K and early elementary supports to low-income children in the Chicago Public Schools, produced similar long-term benefits.²

More recently, high-quality publicly funded programs are demonstrating that it's possible to replicate these results at scale. Children participating in New Jersey's Abbott pre-K program—a high-quality, full-day, state-funded universal pre-K program offered to three- and four-year-olds in thirty-one high-poverty districts—made gains in reading and math that improved school readiness relative to their peers who did not attend pre-K. What's more, these gains lasted at least through third grade.³ Similarly, children participating in the Boston Preschool Program, which offers pre-K in 85 percent of Boston elementary schools, made gains in early reading, math, and social skills at kindergarten entry. These gains eliminated the school readiness gap for poor children in math and narrowed the school readiness gap for black students. Gains persisted through third grade, resulting in higher third-grade test scores for preschool students on the state's Massachusetts Comprehensive Assessment System (MCAS) assessment.⁴

Most research on pre-K programs in the United States focuses on their impact on low-income students, because most publicly funded pre-K programs are intentionally targeted to them. Research on children attending Oklahoma's universally funded pre-K in Tulsa, however, finds that low-income and middle-class children both benefit from pre-K—but that poor children and other at-risk children benefit most.⁵

Pre-K programs that are the most effective at reducing or eliminating school readiness gaps and improving longer-term outcomes for low-income children tend to have some common features: They employ well-prepared teachers with bachelor's degrees and training in how young children learn. They use evidence-based, age-appropriate curricula focused on the skills and knowledge that support school readiness. They operate for at least six hours a day. They provide high-quality, job-embedded professional development and support to teachers. And they regularly collect and use data at the child, classroom, and program levels to inform instruction and support ongoing, continuous improvement. Programs that lack these features, including the federal Head Start program, have not produced sustained learning gains in long-term evaluations, although they yield short-term school readiness benefits for children.⁶

Unfortunately, these features and practices are not found in many publicly funded preschool programs, including many state pre-K programs featured in this report. Charter schools that wish to offer pre-K—funded by the state or through other means—should pay attention to the features of the effective public pre-K programs described above, as well as to a limited number of individual pre-K programs that have narrowed achievement gaps for low-income children. These include AppleTree Early Learning Public Charter School in Washington, D.C.;⁷ Acelero Learning, a for-profit Head Start grantee that operates centers in New Jersey, Pennsylvania, Nevada, and Wisconsin;⁸ and Educare, a network of twenty birth-to-five schools educating children in poverty.

Ph.D. Paper presented at the Meeting of the Society for Research in Child Development, Tampa, FL, April 26, 2003, http://www.highscope.org/file/Research/PerryProject/Perry-SRCD_2003.pdf.

2 AJ Reynolds et al., "Long-term Effects of an Early Childhood Intervention on Educational Achievement and Juvenile Arrest: A 15-year Follow-up of Low-income Children in Public Schools," *Journal of the American Medical Association* 285, no. 18 (2001), 2339–2346.

3 W. Steven Barnett et al., "Abbott Preschool Program Longitudinal Effects Study: Fifth Grade Follow-up" (New Brunswick, NJ: National Institute for Early Education Research, March 2013), <http://nieer.org/sites/nieer/files/APPLES%205th%20Grade.pdf>.

4 C. Weiland and H. Yoshikawa, "The Impacts of an Urban Public Prekindergarten Program on Children's Mathematics, Language, Literacy, Executive Function, and Emotional Skills: Evidence from Boston," *Child Development* 84, no. 6 (2013).

5 Timothy Bartik et al., "Earnings Benefits of Tulsa's pre-K Program for Different Income Groups," *Economics of Education Review* 31 (2012), 1143–1161, <http://www.sciencedirect.com/science/article/pii/S0272775712001021>; Carolyn Hill et al., "The Effects of Oklahoma's Pre-Kindergarten Program on 3rd Grade Test Scores," Policy Brief (Washington, D.C.: Georgetown University Center for Research on Children in the U.S., May 2012), <https://georgetown.app.box.com/s/bxeshfm2t2o4w7709vre>.

6 Mike Puma et al., "Executive Summary: Third Grade Follow-up to the Head Start Impact Study Final Report" (Washington, D.C.: Office of Planning, Research and Evaluation, U.S. Department of Health and Human Services, October 2012), http://www.acf.hhs.gov/sites/default/files/opre/head_start_executive_summary.pdf.

7 Craig Ramey and Nancy Crowell, "The AppleTree Approach: A Case Study Using a Longitudinal Population-Referenced Evaluation Framework" (Washington, D.C.: AppleTree Institute for Education Innovation, August 2010), <http://www.appletreeinstitute.org/wp-content/uploads/AppleTree-Approach-Case-Study.pdf>.

8 Steve Barnett and Kwanghee Jung, "Acelero Learning 2011-12 Summary Report" (New Brunswick, NJ: National Institute for Early Education Research, June 2013), <http://www.nieer.org/publications/nieer-working-papers/acelero-2011-12-program-evaluation%E2%80%94summary-report>.

1 Lawrence Schweinhart, "Benefits, Costs, and Explanation of the HighScope Perry Preschool Program,"

This report first provides a national overview of findings to each of these questions (Parts 1–3). To answer them, we analyzed state pre-K and charter statutes, regulations, and agency policies in the thirty-six jurisdictions that had both charter schools and state-funded pre-K programs at the start of the 2014–15 school year.² (See Appendix A for complete methods.) Based on these data, we evaluate the degree to which states offer a hospitable climate for charter schools seeking to offer pre-K, then group them into three categories: hospitable, somewhat hospitable, and not hospitable (Part Four). Next, we offer recommendations for state and federal policymakers, as well as those in the broader field with interest in the topic (Part Five). We close with profiles that provide information on how each state addresses the provision of pre-K in its charter schools and how to eliminate the barriers that prevent wider participation (Part Six).

Early childhood education has a long history of allowing diverse providers—including Head Start programs, community-based nonprofit and for-profit child care, private nursery schools, and public schools—to serve children with public funds. We expected that this history of diverse delivery would make it relatively easy for charter schools to serve preschool students and access state pre-K funds.

We were wrong.

WHAT IS STATE PRE-K?

In this report, we define a “state-funded pre-K program” as any state-funded or state-passed initiative that provides or requires pre-K programming for some or all of the state’s four-year-olds.

This report does not focus on other pre-K options, such as state- or federally funded Head Start, childcare subsidies, or programs funded through Title I or IDEA Part C. We intentionally excluded states that only used state pre-K funds to expand Head Start access, such as Oregon.

Definitions:

- Pre-K: The state-funded pre-K program.
- Pre-K students: Children enrolled in a state pre-K program.
- Preschoolers: Children in the age range served by pre-K programs.
- Preschool: A program that serves preschoolers but is not funded by the state pre-K program.

PART ONE

Can Charter Schools Offer State-Funded Pre-K?

The answer to this question obviously depends on the state. Charters cannot offer state-funded pre-K in the thirteen states that lack either charter laws or state pre-K programs.³ Of the thirty-six jurisdictions that do, nine have statutory or policy barriers that preclude charter schools from offering state-funded pre-K (see Table 1). In eight of these states, provisions in the state charter law (or the state’s interpretation of the law) prevent charter schools from offering state-funded pre-K.

Table 1. Funding Barriers by the Numbers

Barriers	# of states
Low pre-K funding	22
Small pre-K program	12
Charters are not permitted to automatically enroll pre-K students into their kindergarten programs	10
Local districts have a monopoly on pre-K funds	9
Charter law, pre-K law, or other state law prohibits charter schools from offering pre-K, either in explicit statutory language or by agency interpretation	9
Funding process privileges existing providers	5
New providers can access funding only when total pre-K funding increases	4
Funding is only available in specific regions	3

In eighteen other states, charter schools are technically permitted to offer state-funded pre-K, but practical barriers—often in the application, approval, or funding processes—limit their ability to do so in practice. (Many of these same barriers also exist in the nine states that currently prohibit charter schools from offering pre-K. As a result, even if those states eliminated prohibitions on charters offering pre-K, charters there would still face practical challenges accessing pre-K funds.)

The most common practical barriers include:

- **Small pre-K programs.** Twelve of the states in our sample have state-funded pre-K programs that serve fewer than 10 percent of their four-year-olds. When pre-K programs are so limited, few providers—whether charter schools or otherwise—are able to access funds.
- **Local district monopolies on pre-K funds.** In nine states, charter schools can access pre-K funding only if their local school district agrees to share it with them. While

Q+A

Which five states privilege existing pre-K providers over new providers?

- Georgia
- Louisiana
- New Jersey
- North Carolina
- Pennsylvania

Can Charter Schools Offer State-Funded Pre-K?

most of these states encourage districts to share pre-K funds with other providers, such as local child care centers and private preschools, districts often wield final authority over which providers receive funding—and many choose not to extend pre-K funds to charters.

- **Opportunities to apply for pre-K funding are limited (and biased toward existing providers).** Four states allow new providers to apply for funding only when total pre-K funding increases. Unless that happens, new providers, including charter schools, are prevented from accessing funding. In addition, five states have adopted policies that privilege existing pre-K providers, either by awarding them a preference when granting pre-K funds or slots, or by refusing to consider new providers if the state determines that existing providers already serve most eligible children in the community.
- **Funding is limited to specific regions.** In three states, providers (including charter schools) are only able to access state pre-K funding if they are located in or serve children from specific regions.

Even when charter schools are able to access pre-K funds, some state policies may make it unattractive or infeasible to do so:

- **Low funding levels.** Twenty-two states provide pre-K funding at much lower per-pupil levels than what charters receive for K–12 students, making it financially difficult for charter schools to offer pre-K.
- **Barriers to kindergarten enrollment.** In ten states, charter schools may not enroll pre-K students in their kindergarten programs. Children who complete pre-K at a charter school must go through a lottery to enroll in the charter’s kindergarten program if the school is oversubscribed. This may discourage charter schools from offering pre-K, since there is no guarantee that they’ll be able to continue serving their own pre-K students the following year.

Entrepreneurial charter leaders in a number of places have found ways to overcome barriers to offering pre-K, often by creating separate but affiliated organizations that run preschool programs. Although these strategies allow some charter schools to serve preschoolers, they often create new challenges. (See *What Are Affiliated Pre-K Programs*, page 16 and *Tuition-Based Preschool in Charter Schools*, page 17.)

Part Three provides additional detail on how state charter laws, school finance policies, and state preschool programs can serve as barriers to charter schools that wish to offer pre-K.

Q+A

Which four states allow new providers to apply for funding only when total pre-K funding increases?

- California
- Delaware
- Illinois
- Kansas

WHAT ARE AFFILIATED PRE-K PROGRAMS?

In situations where it's essentially impossible for charter schools to offer pre-K directly, some have managed to do so by creating related but separate organizations to operate pre-K programs. These programs are often co-located with the charter school, but they are not considered part of the school itself. We refer to these pre-K programs as "affiliated programs."

There are several reasons why a charter school would opt to operate an affiliated program.

For one thing, some state statutes or regulations present barriers to charter schools offering pre-K as part of the school.

Additionally, in states with limited or no pre-K programs, some charter schools operate an affiliated program that charges tuition as a way to serve preschoolers (see *Tuition-Based Preschool in Charter Schools*).

And some affiliated programs actually precede the charter school, which grew out of another nonprofit that already had a history of offering preschool or child care services.

The "affiliated program" approach is better than nothing—but it also creates its own complications for parents and charter schools.

Students attending an affiliated pre-K program typically cannot automatically enroll in the charter school's kindergarten program. If the latter is full, preschoolers must enter the charter enrollment lottery, and most states do not allow charter schools to grant enrollment preference to students who attended affiliated pre-K programs. Further, the charter school must maintain a separation of finances and governance between pre-K and the rest of the school. This separation has implications for financial management, staff, materials and supplies, and so on.

Q+A

In which three states are charter schools only able to access state pre-K funding if they are located in or serve children from specific regions?

- Indiana
- Minnesota
- Rhode Island

Where Charters and Pre-K Work Together

In a few states, charter schools have found it relatively easy to offer state-funded pre-K. These include Oklahoma, Texas, Wisconsin, Michigan, and Florida, as well as Washington, D.C.⁴ None of these jurisdictions provide the perfect environment for charter schools interested in offering pre-K, but they offer the best *existing* opportunities. In Oklahoma and Washington, D.C., charter schools that are approved by their authorizers to offer pre-K automatically receive state per-pupil funding at the same levels for each eligible, enrolled pre-K student as they do for K–12 students. In Texas and Wisconsin, charter schools that are approved by their authorizers to offer pre-K automatically receive state per-pupil funding, but only at half the level that they receive for K–12 students, because these states fund only half-day pre-K programs.

In Florida, charter schools must obtain pre-K funding through their authorizing districts or regional early learning coalitions, but because the state's pre-K program is universal, many charter schools have been able to access funding. In Michigan, charter schools must apply to their Intermediate School District (a kind of regional district responsible for administering early childhood education, vocational education, and other programs across multiple local districts) to access pre-K funds, but they do so on equal footing with traditional districts and community-based non-school providers. The common thread across these states, however, is that they provide relatively widespread pre-K access, making it easier for charters to access state pre-K funds. The catch is that, with the exception of the District of Columbia, these states achieve widespread pre-K access by providing relatively low levels of pre-K funding (although they still fund pre-K at higher levels than some other states).

TUITION-BASED PRESCHOOL IN CHARTER SCHOOLS

In some states, charter schools offer preschool programs—either as an affiliated program or as part of the school—that serve students on a tuition basis. In Colorado, for example, thirty charter schools offer preschool, but only a few do so through the state-funded Colorado Preschool Program. The others charge parents tuition to enroll their children in preschool. Similarly, in Delaware, one charter school operates an affiliated preschool program that is funded through student tuition as well as the school's general operating revenues.

It is not uncommon for traditional school districts to operate tuition-based preschool programs. But when charters operate such programs, it creates difficult trade-offs around enrollment, equity, and the best interests of children. Children, parents, and providers want children to be able to remain in the same school where they attended preschool. But policymakers also want to ensure that

more affluent parents cannot buy their way into sought-after charter schools by enrolling children in tuition-based preschool.

Recent non-regulatory guidance for the federal Charter School Program (CSP) seeks to address this issue. It says that charter schools that receive CSP funds and offer tuition-based preschool are not permitted to automatically enroll tuition-paying preschool students into their kindergarten programs. A charter school may, however, elect to hold a kindergarten admissions lottery a year or two in advance of children's entry to kindergarten, and then allow children who win a kindergarten slot in that lottery to enroll in the preschool program. Charter schools that choose this option must allow selected students to defer enrollment into the school until kindergarten (which is offered free of charge) if the parent either cannot or does not want to pay tuition for preschool.

Q+A

Which four states have both charter schools and pre-K but no charter schools that offer pre-K programs?

- Kansas
- Ohio
- Virginia
- Washington

PART TWO

How Many Charter Schools Serve Preschoolers?

While thirty-two states have at least one charter school serving preschoolers, states vary widely in the number of them serving pre-K students (largely due to differences in access, funding, and other policies and practices). The figures below reflect the total number of states with charter schools offering pre-K, including both those receiving state pre-K funds and those funded through other means. (See Appendix B for data challenges.) Table 2 includes state-specific data.

Among states with both state-funded pre-K and charter school laws:

- Nineteen have less than 20 percent of elementary charters offering pre-K.
- Twelve have between 20 and 50 percent of elementary charters offering pre-K.
- Just five have more than 50 percent of elementary charter schools offering pre-K.

Table 2. Number and Percentage of Charter Schools Offering Preschool by State

State	Pre-K Charters	Elementary Charters	Percentage (%)
Alaska	2	20	10%
Arizona	5	374	1%
Arkansas	2	14	14%
California	239	709	34%
Colorado	38	135	28%
Connecticut	6	12	50%
District of Columbia	58	53	109% [†]
Delaware	1	15	7%
Florida	102	331	31%
Georgia	9	61	15%
Illinois	17	65	26%
Indiana	3	50	6%
Iowa	1	1	100%
Kansas	0	5	0%
Louisiana	34	92	37%
Maine	1	2	50%

Q+A

In which two jurisdictions do charters that are approved by their authorizers to offer pre-K automatically receive state per-pupil funding at the same levels for each preschooler as they do for K-12 students?

- Oklahoma
- Washington, D.C.

Can Charter Schools Offer State-Funded Pre-K?

State	Pre-K Charters	Elementary Charters	Percentage (%)
Maryland	11	34	32%
Massachusetts	13	38	34%
Michigan	76	250	30%
Minnesota	20	100	20%
Missouri	3	28	11%
Nevada	2	28	7%
New Jersey	7	63	11%
New Mexico	5	36	14%
New York	9	161	6%
North Carolina	5	119	4%
Ohio	0	228	0%
Oklahoma	7	12	58%
Pennsylvania	5	111	5%
Rhode Island	1	12	8%
South Carolina	6	33	18%
Tennessee	9	26	35%
Texas	195	364	54%
Virginia	0	2	0%
Washington	0	1	0%
Wisconsin	73	108	68%

Note: Authors' estimates based on interviews and publicly available state data. See Appendix B for more information on data limitations.

† The number of District of Columbia charter schools offering pre-K is higher than the number of elementary schools because it has several schools that serve pre-K exclusively and do not offer an elementary program, as well as one school that offers both pre-K and adult education but does not serve K–12 students.

Q+A

Which nine states prevent charter schools from enrolling students in pre-K?

- Arizona
- Delaware
- Georgia
- Illinois
- Indiana
- North Carolina
- Ohio
- Pennsylvania
- Washington

PART THREE

What Types of Barriers Prevent Charter Schools from Offering Pre-K?

Most barriers to charter schools offering pre-K do not stem from intentional efforts to keep the schools out, but are instead the result of policies enacted in silos. In general, charters' ability to offer state-funded pre-K hinges on the confluence of three types of state policies: charter laws, school finance policies, and preschool program design.

Barriers in State Charter Laws

State definitions of “charter school” or “pupil” may bar charter schools from serving preschoolers. Provisions in eight states' charter laws prevent charter schools from enrolling students in pre-K. In some states, such as Arizona and Delaware, the legislation defines charter schools as serving students from kindergarten through twelfth grade. Ohio's legislation says that charter schools can only admit children between the ages of five and twenty-two. In Illinois, charter law calls students enrolled in a charter school “pupils,” which a separate section of state code equates with “pupils of legal school age and in kindergarten and grades 1 through 12.” The state has concluded that this language means charter schools cannot serve pre-K students. Other states have interpreted the absence of policies explicitly permitting charters to offer pre-K as a prohibition. In Georgia, Indiana, and North Carolina, for example, charter school legislation is silent on the issue of charter schools serving preschoolers, which the states interpret to mean that pre-K “isn't covered” by charter law.

Charter laws impact whether and how children who attend pre-K operated by a charter school can directly enroll in the school's kindergarten. In three states (New Jersey, Missouri, and Virginia), charters are permitted to serve preschoolers as students of their school but prohibited from automatically enrolling them into their kindergarten classes. Instead of seamlessly progressing from pre-K to kindergarten within the same school, as students in other grades do, charter pre-K students in these states must enter the school's enrollment process. This means that if the school's kindergarten is full, pre-K students are not guaranteed a spot in the kindergarten class, but most go through an admissions lottery alongside other students who did not attend pre-K at the school.

Barriers in School Finance Policies

Prohibitions on charter schools serving pre-K students often stem from the intersection between charter policies and school finance. Typically, a state's charter law and school funding formula determine how much funding charter schools receive per pupil for K–12 students. State policies that prohibit charters from serving preschoolers — or define a charter school as serving students in grades K–12 — are designed to limit the population of students for whom charters may receive such per-pupil funds. But in practice, some states have extended these policies to prevent charter schools from serving preschool students with *other* funding sources, or from accessing state pre-K funds that flow outside the state school funding formula. In Pennsylvania, for example, a 2011 state supreme court decision that explicitly prohibits charter schools from receiving state

Q+A

Which two states require districts that provide pre-K to all or most four-year olds to transfer per-pupil funds to charters for pre-K students in the same way they do for K–12 charter students?

- Maine
- Massachusetts

formula payments for four-year-old students has been interpreted to also prevent them from applying for competitive state pre-K grants.⁵

On the other hand, Maine and Massachusetts have established unique policies in their charter laws that require districts that provide pre-K to all or most four-year-olds—whether with state or local funds—to transfer per-pupil funds to charters for pre-K students in the same way they do for charter students in grades K–12.

Barriers in State Preschool Programs

Several features of state preschool policies affect charter schools' ability to offer state-funded pre-K. These include the program's administering agency, its structure, the number of slots it provides, pre-K funding levels, program quality standards and oversight, and whether the program is universal (available to all preschool-age children) or targeted (available to disadvantaged or at-risk children). Let's take each of these in turn.

Agency jurisdictions. State preschool programs are administered by a variety of different agencies. Twenty-eight states' pre-K programs are administered by their departments of education, three by health and human service agencies, and seven by other agencies. When pre-K programs are administered by an agency other than the state department of education, program staff may be less familiar with charter schools. As a result, they may design or administer pre-K policies that have negative consequences for charter schools. For example, the Arkansas Department of Human Services requires that all pre-K providers (including charter schools) meet child care licensing requirements. While some of these requirements are necessary to ensure program quality or children's safety, others (e.g., furniture restrictions) have no relationship to quality and place burdensome restrictions on charter schools.

Even in states where the department of education operates the pre-K program, offices responsible for preschool may not coordinate with offices responsible for charter schools, which can create challenges for charter schools that must deal separately with both offices.

State preschool program structures determine whether and how charters can access their funds. Most states fund their pre-K programs through one of two processes:

- **Competitive grants or contracts.** Eighteen states use a competitive grant or contract model in which the state awards pre-K funds directly to pre-K providers, including community-based child care providers, school districts, and Head Start agencies.
- **School funding formula.** Eighteen states fund pre-K through state school funding formulae. In these states, pre-K funds flow to local education agencies along with other state funds for K–12 students. Local educational agencies may then use these funds to offer pre-K themselves or to subcontract with other providers. Pre-K formula funds may flow based on actual pre-K enrollment, districtwide population characteristics (e.g., the number of poor children ages 0–5 in the district), or historical funding levels.

Both models can create different barriers or opportunities for charter schools depending on the design of a given state's program.

Most of the states that pose few barriers to charters' ability to offer pre-K—including Texas, Wisconsin, Oklahoma, and the District of Columbia—fund pre-K through state school funding formulae and allow charter schools to include eligible pre-K students

Q+A

In which eight states does state formula funding for pre-K flow exclusively to districts—not charters?

- Alaska
- Colorado*
- Iowa
- Kansas
- Maryland
- South Carolina*
- Tennessee*
- Virginia

*(*In these states, funding can also flow to a separate entity that serves as the district/LEA for charter schools they authorize.)*

in their enrollment counts for state funding. But not all states that fund pre-K through their school finance formulae offer similar access for charters. In eight states, state formula funding for pre-K flows exclusively to districts, not to charters. Districts in these states may choose to share these funds with charters, but are not required to do so—and relatively few do.

Charters have had less success accessing pre-K funds in states that use a competitive grant or contract model. Many (but not all) competitive pre-K programs are smaller than formula-funded programs, and some allow new providers to apply for funding only when overall funding levels increase or an existing provider loses funding due to poor performance or noncompliance. As a result, charters have had limited opportunities to pursue funding in some states with competitive grant programs. There is no inherent reason, however, that a competitive pre-K program structure should be unfavorable to charter schools—particularly if the program is relatively large and regularly re-competes pre-K grants or contracts. Charter schools have been successful in accessing pre-K contracts in several states, including Arkansas and Georgia. Although Georgia’s and Illinois’s charter laws preclude charter schools from offering pre-K as part of their charters, *charter-affiliated* pre-K programs (see *What Are Affiliated Pre-K Programs?*, page 16) have indeed obtained pre-K contracts in both states.

Scarcity of seats affects access for new providers. Most state pre-K programs do not fund enough slots to serve all eligible children. This differs from K–12 education, where all children are entitled (indeed required) to attend school and districts or states are required to serve all of them (aside from homeschooled children). In contrast, the scarcity of pre-K slots and funding creates barriers to entry for new providers. When there are few slots to go around, administering agencies see little need to add new providers and may view them as threats to existing ones. “Money-follows-the-child” models also don’t work as well in a context of scarcity: When there are not enough funds for all eligible children, whom should funds follow? Instead, most states with limited funds allocate them to providers or districts, which then admit eligible children according to program rules. Families seek access from providers rather than carrying a pot of funding with them.

Even in states with widespread pre-K access, the scarcity mindset continues to shape pre-K policies. In New Jersey, a court order requires the state to fund universal pre-K in thirty-one high-poverty school districts. While some charter schools in these districts receive funding to serve pre-K, the state will not approve a charter application that includes pre-K if it determines that enough slots exist in the community to serve all eligible children. Similarly, in Georgia—one of three states with universal pre-K—the state will only approve new providers if it identifies unmet need in the community.

Funding levels in many states are lower than the cost to deliver pre-K, which creates challenges for both charter schools and other providers. According to the National Institute of Early Education Research (NIEER), the average spending for state pre-K was \$4,629 per child in 2013 (including local, state, and federal funds).⁶ In contrast, researchers from the University of Arkansas estimate that charter schools received an average of \$8,864 (including all federal, state, and local spending) to educate students in 2011.⁷ In states with both pre-K and charter schools, state pre-K funding ranges widely from \$1,900 per pupil in Kansas to \$12,972 per pupil in New Jersey (this equates to 49 percent of the funding that charter schools receive for K–12 students in Kansas and 86 percent in New Jersey).

What Types of Barriers Prevent Charter Schools from Offering Pre-K?

In many states, state pre-K funds are not actually intended to cover the full costs of pre-K. Illinois, for example, provides grants of roughly \$3,000 per child but encourages applicants to combine these grants with other funding sources, such as child care subsidies or Head Start funds. (See *Child Care Subsidies*.) In Maine, pre-K programs are designed to create an incentive for districts to devote their own local or general resources to pre-K, but not to cover the entire cost. Arkansas explicitly requires organizations that receive pre-K funding to demonstrate a match from other sources. All of these funding methods differ significantly from how charter schools receive funding for K–12 students.

CHILD CARE SUBSIDIES

Child care subsidies are designed to help low-income working parents pay for the costs of child care. These subsidies, which are funded with a combination of federal and state funds, exist in every state.

They offer a potential funding stream for charter schools interested in serving pre-K students, but their design can make it difficult to use them as a pre-K funding mechanism. For these reasons, child care subsidies are not included in the current analysis.

As they are intended primarily to allow low- and moderate-income parents to work (rather than to support children's learning) child care subsidies have different eligibility requirements than pre-K programs, both for children and for providers. Unlike preschool programs, which typically focus on three- and four-year-olds, child care subsidies can be used to pay for day care or after-school care for children

from birth to age twelve. Children are only eligible for subsidies if their parents work at least a minimum number of hours per week and if their family income is below a state-defined threshold. Families receiving child care subsidies must regularly demonstrate that the family meets these eligibility requirements.

Consequently, child care subsidy funding is more volatile for providers (and families) than state-funded pre-K. Providers also receive money based on actual student attendance, meaning that they lose funds if a child loses eligibility or is absent due to illness. Further, charter schools that elect to receive child care subsidies must also meet licensure requirements, which typically include specific requirements for facilities, furnishings, and other inputs. In some states, these input requirements are more detailed than the requirements for public schools offering pre-K.

Many state pre-K programs offer low funding levels for all potential providers, not just for charter schools. But inadequate funding poses a particular barrier for charter schools that wish to offer pre-K. Because they often receive less K–12 funding per pupil than districts do, charters have less leeway to use other funds to make up the difference between state pre-K funds and actual costs.

Program quality standards can create obstacles. Even as they provide low per-pupil funding for pre-K, states often impose specific requirements that make it more expensive to operate than K–12 programs. Most state preschool programs have established quality standards for providers, including teacher-credential requirements, maximum class sizes, and required adult-to-child ratios. Some also have extensive requirements related to facilities, materials, parent engagement, classroom environments, curriculum, and assessment, or require that all pre-K providers meet child care licensure standards. These requirements exist for good reason: Many states rely on community-based child care providers to deliver state-funded pre-K, and these standards set a minimum bar to ensure

that they are offering an early childhood education program, rather than just day care. Pre-K quality standards can also help ensure that school districts provide appropriate programming for young children, rather than just pushing down kindergarten content to younger students.

But this approach to quality is very different from that of K–12 education, and in particular from the charter school philosophy of “increased autonomy in return for greater results-based accountability.” Early childhood quality is typically evaluated in terms of a child’s day-to-day experiences, including both inputs (such as teacher qualifications or adult-to-child ratios) and specific practices (such as the quality of adult-to-child interactions) that research shows are associated with improving young children’s learning.⁸ In K–12, however, the primary measure of school quality is student academic performance and growth, as generally measured by test results. And while charter schools in many states have increased flexibility to waive the input requirements that apply to district schools, few pre-K programs offer similar waivers.

Charter schools that serve pre-K students should be held to high standards for both the quality of programming they provide and the student outcomes they produce. But some existing pre-K requirements have little direct connection to children’s learning. Arkansas, for example, requires pre-K providers to ensure that classroom tables are at a specific height and prohibits children’s coats from touching. In New Jersey, all pre-K teachers in former Abbott districts must be paid according to the district salary schedule—and this requirement extends to charter pre-K teachers, even though K–12 charter schools have separate salary schedules. These requirements can impose significant burdens on charter schools, infringe on their autonomy and increase their costs. It is likely that these burdens prevent some high-quality charter schools from offering strong pre-K programs.

Targeted pre-K programs create obstacles for charter schools enrolling students into pre-K. Most state pre-K programs are targeted to low-income or at-risk students. In fact, twenty-four states in our sample have income or other eligibility criteria for *individual* students. Typically, these criteria limit pre-K enrollment to children in poor or low-income families (definitions of “low-income” vary by state), but some states also extend pre-K eligibility to children with other risk factors, such as English language learners, foster children, or children whose parents are in active military service or veterans. Another eleven states do not have individual eligibility criteria but have established other policies to target pre-K to at-risk or high-need children and communities. Connecticut and Massachusetts, for example, require providers to serve at least a certain percentage of low-income students. New Mexico and New Jersey target pre-K funding to certain high-poverty districts or communities. Only three states (Florida, Georgia, and Oklahoma) have universal pre-K, meaning they serve all students whose parents want to enroll them, regardless of income.⁹ (Several other states have programs that are called universal – and aspire to be so – but in fact limit eligibility to low-income students or fund enough seats to serve only a fraction of eligible children and families.)

Targeted preschool programs are designed to ensure that limited public funds go to the children who need them most, and reflect research showing that pre-K has the greatest benefits for low-income children. But charters that want to serve preschoolers find themselves ensnared in state policies that both limit pre-K to low-income students and prohibit charters from establishing admissions criteria. Lawyers for the Chicago Public Schools, for example, have concluded that charter schools cannot automatically enroll

Q+A

How many states have income or other eligibility criteria for individual students relative to pre-K enrollment?

→ Twenty-four

What Types of Barriers Prevent Charter Schools from Offering Pre-K?

children in state-funded pre-K directly into their kindergarten programs, in part because the income eligibility requirements for pre-K constitute admissions criteria (which are not permitted by Illinois charter law). In Texas, some charter schools use two separate lotteries to enroll low-income preschoolers who are eligible for state funding and non-eligible children whose parents pay tuition.

PART FOUR

Which States Offer a Hospitable Climate for Charters Seeking to Offer Pre-K?

In this section, we evaluate whether states adopt an “open-door” policy relative to charter schools that wish to offer pre-K.

We include all thirty-six jurisdictions in the report, excluding those that do not have both a pre-K program and a charter law.¹⁰ Several states have multiple state funding streams or programs for pre-K. (See Appendix A for our rationale in selecting one of them.)

Our hospitality score is based on eight weighted indicators:

- Does the state have a charter law?
- Does the state have a state-funded pre-K program?
- Are there any statutory or regulatory barriers to charter schools offering the program?
- Is the pre-K program small?
- Is pre-K funding low?
- Is the application, approval, or funding process a barrier?
- Is automatic kindergarten enrollment prohibited in legislation or in practice?
- What percentage of elementary charter schools in the state offer preschool?

Does the state have a charter law? Does the state have a state-funded pre-K program?

These two indicators comprise the baseline requirements for inclusion in the study. (See *What is State Pre-K?*, page 13.)

Are there any statutory or regulatory barriers to charter schools offering the program?

Statutory or regulatory barriers are the most formidable and difficult to address because of their direct impact on a charter’s ability to offer pre-K.

These are barriers in legislation, regulation, or agency policy—or state interpretation of one or more of those—that prevent charter schools from accessing state pre-K funding. For example:

- **Ohio.** The charter law states that charter schools can only admit students between the ages of five and twenty-two.
- **Pennsylvania.** The charter law is silent on pre-K access; the pre-K law does not include charter schools as eligible providers. The state interprets this absence to mean that charter schools cannot offer pre-K.
- **Indiana.** The pre-K legislation and program materials expressly indicate that charter schools can offer state-funded pre-K, but the charter law is silent on the topic. The state interprets this silence to mean that pre-K is “not covered” by the charter law, and

Which States Offer a Hospitable Climate for Charters Seeking to Offer Pre-K?

so charter schools cannot offer pre-K as part of their charter agreement; they can only do so through partner or affiliated pre-K programs. (See *What Are Affiliated Pre-K Programs?*, page 16.)

Is the pre-K program small?

The size of the state pre-K program is an indicator of access: If a program serves fewer students, there are fewer slots to go around, and charter schools have greater difficulty accessing funding. A pre-K program is considered small if it serves less than 10 percent of all four-year-olds in the state.

Is pre-K funding low?

The amount of state funding per child served determines whether or not it is financially viable for charter schools to offer pre-K programs. Pre-K funding is considered low if charter schools that offer pre-K receive 75 percent or less funding to serve preschoolers than they would receive to educate K–12 students. If the state requires only a half-day program, pre-K funding is considered low if charter schools that offer pre-K receive less than 50 percent of the funding for K–12.

Is the application, approval, or funding process a barrier?

In several states, application, approval, or funding processes create barriers to charters accessing pre-K funding. Some of these barriers also affect other potential pre-K providers. All of the following issues are considered application, approval, or funding barriers:

- Charter schools must go through the district to access pre-K funding.
- The state only opens pre-K funding to new providers when there is new funding allocated to the program, which does not occur regularly.
- The state prioritizes existing or continuing providers over new providers in making funding decisions.
- Charters can access state pre-K funding, but the process to do so is not formalized or transparent.
- Funding is only accessible to providers in certain communities.
- If awarded through the state's funding formula, charter schools only receive funding for students who live in a small percentage of districts that offer pre-K.
- Charters can only access pre-K dollars if the school funding formula is fully funded.
- Slots are awarded to new providers only if there's unmet need in the region.

Is automatic kindergarten enrollment prohibited in legislation or in practice?

Offering pre-K is more expensive than offering other grades for several reasons (e.g., lower per-pupil funding, higher student-to-teacher ratios, additional facilities requirements). Charter schools that make the investment in pre-K expect to reap the benefits of it by continuing to serve those students in higher grades. A state is less hospitable if, in either policy or practice, it prohibits charter schools from automatically enrolling their preschoolers from pre-K into kindergarten.

What percentage of elementary charter schools in the state offer pre-K?

A number of charter schools, despite the substantial barriers in some states, offer pre-K. The higher the percentage of elementary charter schools offering pre-K, the friendlier the state environment. In contrast, some states with relatively few formal barriers have relatively few charter schools that offer pre-K—suggesting there are other barriers unique to those states.

Scoring Formula

We reward states for having both charter schools and pre-K and for the percentage of charters that offer pre-K services. We penalize states for technical or practical barriers.

The maximum score is fifty points. We weighted each indicator with the following values:

Table 3. Scoring Formula

Question	If yes...
Does the state have a charter law?	+40 points for both
Does the state have a state-funded pre-K program?	
Are there any statutory or regulatory barriers to charter schools offering the program?*	-20 points
Is the pre-K program small? (Pre-K program serves less than 10 percent of eligible children.)	-5 points
Is pre-K funding low? (Per-pupil funding that full-day pre-K providers receive is less than 75 percent of the amount charters in the state receive to serve K–12 students, or 50 percent if half-day pre-K.)	-5 points
Is automatic kindergarten enrollment prohibited in legislation or in practice?	-5 points
Is the application, approval, or funding process a barrier?*	-5 points
What percentage of elementary charter schools in the state offer pre-K?	+(percentage value × 10) points

*States receive the same deduction despite the number of barriers.

To arrive at the total score, we summed points and rounded to the nearest whole number. The scores comprise a “hospitality threshold,” which quickly communicates whether a state is hospitable to charter schools seeking to offer pre-K:

- Scores below 30: Not hospitable (red)
- Scores between 30 and 39: Somewhat hospitable (yellow)
- Scores between 40 and 50: Hospitable (green)

Table 4 below offers a scoring sample.

Which States Offer a Hospitable Climate for Charters Seeking to Offer Pre-K?

Table 4. Sample State Hospitality Scoring: Florida

Florida Voluntary Pre-Kindergarten (VPK)		
Does the state have a charter law?	Yes	+ 40 points
Does the state have a state-funded pre-K program?	Yes	
Are there any statutory or regulatory barriers to charter schools offering the program?	No: There is nothing in legislation that prevents charter schools from offering pre-K, and the state interprets this absence to mean that charter schools can offer pre-K.	0 points
Is the pre-K program small?	No: 78% of four-year-olds are served.	0 points
Is pre-K funding low?	Yes: To offer pre-K, charters receive 28% of K-12 per-pupil funding.	-5 points
Is the application, approval, or funding process a barrier?	Yes: If charters want to apply as public providers, they must go through the school district; if they apply as private providers, they must meet child care licensing standards.	-5 points
Is automatic kindergarten enrollment prohibited in legislation or in practice?	No: Legislation allows charter schools to grant enrollment preference to pre-K students.	0 points
What percentage of elementary charter schools in the state offer pre-K?	31% (.31*10 = 3.1)	3.1 points
Subtotal		33.1 points
Total Score	Somewhat hospitable	33 points

Table 5 below presents the scores and hospitality ratings for each state.

Which States Offer a Hospitable Climate for Charters Seeking to Offer Pre-K?

Table 5. Which States Offer a Hospitable Climate for Charters Seeking to Offer Pre-K?

State	Does the state have both a charter law and pre-K program? ^a	Are there statutory or regulatory barriers to charters accessing state funding for pre-K? ^b	Is the funding level of the state pre-K program a barrier to charter access? ^c	Is the size of the state pre-K program a barrier to charter access? ^c	Is the application, approval, and/or funding process a barrier to charter access? ^c	Is automatic enrollment from pre-K to K prohibited in legislation or practice? ^c	What percentage of charters offer pre-K out of all elementary charters in the state? ^d	Total Score
District of Columbia	40	0	0	0	0	0	100% (10)	50
Oklahoma	40	0	0	0	0	0	58% (5.8)	46
Iowa: SWVPP	40	0	0	0	-5	0	100% (10)	45
Maine: Charter	40	0	0	0	0	0	50% (5)	45
Texas	40	0	0	0	0	0	54% (5.4)	45
Wisconsin	40	0	-5	0	0	0	68% (6.8)	42
Connecticut: Charter	40	0	0	0	-5	0	50% (5)	40
Michigan	40	0	-5	0	0	0	31% (3.1)	38
Arkansas	40	0	-5	0	0	0	14% (1.4)	36
New York: SUFP	40	0	-5	0	0	0	6% (0.6)	36
Kansas: SPP	40	0	0	0	-5	0	0% (0)	35
Louisiana	40	0	-5	0	-5	0	37% (3.7)	34
Florida	40	0	-5	0	-5	0	31% (3.1)	33
Maryland	40	0	-5	0	-5	0	32% (3.2)	33
Massachusetts: Charter	40	0	-5	-5	-5	0	34% (3.4)	33
Tennessee	40	0	-5	0	-5	0	35% (3.5)	33
Colorado	40	0	-5	0	-5	0	19% (1.9)	32
Nevada	40	0	-5	-5	0	0	7% (0.7)	31
New Jersey	40	0	0	0	-5	-5	11% (1.1)	31
New Mexico	40	0	-5	0	-5	0	14% (1.4)	31
Rhode Island	40	0	0	-5	-5	0	8% (0.8)	31
South Carolina: 4K	40	0	-5	0	-5	0	9% (0.9)	31
California: CSPP	40	0	-5	0	-5	0	1% (0.1)	30

Which States Offer a Hospitable Climate for Charters Seeking to Offer Pre-K?

State	Does the state have both a charter law and pre-K program? ^a	Are there statutory or regulatory barriers to charters accessing state funding for pre-K? ^b	Is the funding level of the state pre-K program a barrier to charter access? ^c	Is the size of the state pre-K program a barrier to charter access? ^c	Is the application, approval, and/or funding process a barrier to charter access? ^c	Is automatic enrollment from pre-K to K prohibited in legislation or practice? ^c	What percentage of charters offer pre-K out of all elementary charters in the state? ^d	Total Score
Minnesota: ELS	40	0	-5	-5	-5	0	20% (2.0)	27
Alaska	40	0	-5	-5	-5	0	10% (1.0)	26
Missouri: HB 1689	40	0	0	-5	-5	-5	10% (1.0)	26
Virginia	40	0	-5	0	-5	-5	0% (0)	25
Georgia	40	-20	-5	0	-5	0	15% (1.5)	11
Arizona	40	-20	0	-5	0	-5	1% (0.1)	10
Washington	40	-20	0	-5	0	-5	0% (0)	10
Illinois	40	-20	-5	0	-5	-5	15% (1.5)	7
Delaware	40	-20	0	-5	-5	-5	7% (0.7)	6
Indiana	40	-20	0	-5	-5	-5	2% (0.2)	5
North Carolina	40	-20	-5	0	-5	-5	4% (0.4)	5
Ohio	40	-20	-5	-5	0	-5	0% (0)	5
Pennsylvania	40	-20	-5	-5	-5	0	5% (0.5)	5

- Hospitable
 - Somewhat hospitable
 - Not hospitable
- a +40 points if yes
 b -20 points if yes
 c -5 points if yes
 d +percentage × 10 points (rounded)

As shown, seven jurisdictions are *hospitable*: Washington, D.C., Oklahoma, Texas, Iowa, Maine, Wisconsin, and Connecticut. Sixteen states are *somewhat hospitable*, among them Michigan, Arkansas, New Mexico, Colorado, and Maryland. Thirteen states are *not hospitable*, including Pennsylvania, Delaware, North Carolina, Ohio, and Indiana. Interestingly, Georgia—which has universal pre-K—received a *not hospitable* evaluation because the state’s charter law contains provisions that the state has interpreted as precluding charter schools from offering pre-K programs. A Georgia charter school can serve pre-K students through an affiliated program, but those children are not considered students of the charter school.

See Part Six for the individual state profiles that explain the scores for each state.

PART FIVE

Recommendations

As advocates and policymakers work to expand access to state pre-K programs, they should also consider using this opportunity to change state policies currently preventing charter schools from offering state-funded pre-K. In states that undertake major expansions of pre-K programs—as New York recently did—eliminating barriers to charter pre-K programs is not just a matter of equity for charter schools; it can also help the state increase the supply of operators capable of offering newly funded slots.

Because the types and causes of barriers vary across states, the state profiles that follow this report offer specific recommendations for each state. The following recommendations, however, address barriers that are common across multiple states.

For State Policymakers

- **Carefully consider how charter, pre-K, and school finance policies interact with one another.** As policymakers enact or expand pre-K programs, they should intentionally incorporate charter schools, as well as district and community-based providers, in the range of allowed pre-K providers. Similarly, as states create or amend their charter school laws, they should explicitly allow for the possibility that charter schools may participate in the state pre-K program or serve preschoolers using other funding sources. States that reform their school funding formulae should ensure that they allow charter schools equitable access to any distributed pre-K funds, as well as to categorical grant programs for early childhood education.
- **Include pre-K in the state definition of what charter schools do.** State policymakers should ensure that statutory definitions of charter schools explicitly include pre-K. If necessary, policymakers can add language in other portions of state law to specify that charters may not include pre-K students in their pupil count for state formula funding.
- **Establish clear policies that allow charter schools operating publicly funded pre-K programs to enroll the children served by those programs directly into their kindergarten classes.** States with charter laws and state-funded pre-K programs should establish clear policies to allow charter schools that serve state-funded pre-K students to transition those students to kindergarten, in the same way that they would transition students between any other grade levels offered by the school. Because charter schools currently offer pre-K through a variety of mechanisms — including tuition-based programs and affiliated programs that are not technically part of the schools — state laws may need to establish different policies for different circumstances in which charter schools may serve pre-K students.
 - » **Charter schools that operate state-funded pre-K programs should be permitted to automatically enroll those students in kindergarten, provided that the schools use a lottery to admit eligible children into pre-K.** Policies that prohibit charters from establishing admissions criteria should explicitly exempt state-mandated income eligibility requirements for pre-K students.

- » **Charter schools that operate state-funded pre-K through affiliated programs (see *What Are Affiliated Pre-K Programs?*, page 16) should be allowed to grant those students an admissions preference for kindergarten enrollment.** Children would still be required to participate in a lottery if demand exceeds slots available, but they would receive a lottery preference, similar to that granted to siblings of current students or other students for whom the school is permitted to offer preference under existing state law.
- » **Charter schools that operate tuition-based pre-K programs should be allowed to automatically enroll tuition-paying pre-K students in kindergarten only if they meet the conditions of the federal Charter Schools Program guidance related to charter schools and pre-K.**¹² This policy should apply to all tuition-based pre-K programs, whether operated as part of a charter school or through an affiliated program. (See *Tuition-Based Preschool in Charter Schools*, page 17.)
- **Ensure that charter schools have equitable access to state pre-K funds.** Charter schools should have the same ability to access state pre-K funds as other providers, including school districts and community-based providers. The precise policy changes necessary to provide equitable access for charter schools will vary depending on the design of the state's pre-K program.
- » **States that use a competitive grant or contract approach to fund pre-K programs should establish regular opportunities for new providers and existing providers to compete for funds based on program quality.** Providers should receive pre-K grants or contracts for a set time period of between three and five years. At the end of the grant period, providers should be required to reapply for funding. Other providers, including charter schools, should be allowed to apply for funding at the same time, and the state should select providers that offer the best proposals. In evaluating existing providers, states should take into account past performance (as demonstrated through compliance with program quality standards), sound fiscal management, quality of adult-child interactions, and—most importantly—evidence of child learning and developmental outcomes.

In evaluating applications from new providers, states should take into account the quality of their proposed pre-K programs, their organizational and staff capacity to operate an early childhood program, their financial viability plans, and their prior track record of success in delivering other early childhood or education services—including the academic results of K–12 schools applying to offer pre-K. This approach would simultaneously enable new providers to access pre-K funds and incentivize all providers to improve program quality due to increased competition for funding.

- » **States that fund pre-K through the state school finance system should provide a pathway for charter schools to access funding that is not dependent on the discretion or good will of local districts.** There are several ways to do this.
 - **Distribute state formula funds for pre-K directly to charter schools, in the same way as the state distributes them to districts.** This approach, used in Wisconsin and Texas, will likely work best in states where charters are their own local educational agencies (LEA) rather than part of the district LEAs. It will also work best in states that have relatively large pre-K programs and distribute state

formula funds for pre-K based on actual enrollment of eligible students, rather than the characteristics of the district population. In states that distribute pre-K funds using the latter approach, the state could create an alternative formula for charter schools based on the enrollment of low-income children in the charters' kindergarten programs. Charter schools would also need approval from their authorizers to add pre-K as a grade before they could receive state formula funds.

- **Provide an alternative pathway for charter schools rejected by the district to access pre-K funds.** In states that distribute formula pre-K funds primarily through districts, charter schools that cannot access pre-K funds from their district should have a means to apply directly to the state. Under New York's Statewide Universal Prekindergarten Program, enacted in 2014, districts are the primary recipient of funds and are encouraged to include community-based programs and charter schools in their applications for state charter funding. If a district refuses to include a community-based provider or charter school in its application, that provider or charter school may apply directly to the state. Other states that distribute pre-K funds primarily to school districts could adopt a similar approach. If a state approves a charter school's application, those funds would come out of the amount that would otherwise go to the district. This approach would create both an alternative path for charter schools to access pre-K funds and an incentive for districts to more equitably share pre-K funds with charter schools.
- **Require districts that offer widespread pre-K programs to transfer funding to charters for each district student enrolling in charter pre-K.** Maine and Massachusetts have adopted policies that require districts that provide "widespread" pre-K access, whether through state or local funding, to transfer pre-K funding to charters when a pre-K student who lives in the district chooses to enroll in a charter school. This approach, which ensures that charter schools have equitable access to local as well as state funding for pre-K, is particularly appropriate for states where pre-K programs are designed to incentivize districts to provide pre-K, but not to fund the full cost of such programs.
- **Collect better data on charter schools that offer pre-K and on charter school participation in pre-K programs.** We were surprised to discover how little state policymakers and charter authorizers knew about the extent to which charter schools in their state were serving pre-K students. Improving state policies related to charter schools and pre-K requires states to gather better information about these matters. At a minimum, states should:
 - » Require state agencies that administer competitive pre-K programs to track charter schools as a distinct type of organization receiving funding.
 - » Require authorizers to collect and report information on pre-K programs offered by charter schools they oversee, including affiliated programs that are not technically part of the charter but operated by a related organization.
- **Increase authorizers' role in overseeing charter pre-K programs.** Authorizers are the entities responsible for granting charters and holding charter schools accountable. But in many states, charter authorizers play little or no role in determining whether or not charters receive pre-K funding or in overseeing the quality of pre-K programs

operated by charter schools (see *The Role of Authorizers in Overseeing Charter Pre-K*). In states where school districts are both the primary authorizers and the primary recipients of pre-K funding, states should require districts to do the following: 1) consider new charters' requests for pre-K funding as part of the charter application process; 2) establish charter amendment processes through which existing charters can apply for pre-K funds; 3) devise clear standards for approving or denying charter requests for pre-K funding; and 4) develop standards and processes for monitoring the quality and outcomes of charter pre-K programs.

States where the state education agency (SEA) is both the primary authorizer and administrator of the pre-K program should do the same. States in which different agencies are responsible for authorizing charter schools and distributing pre-K funds should require the agency that oversees pre-K programs to consult with authorizers in considering pre-K funding requests from existing schools, to notify authorizers when charter schools are awarded or denied pre-K funds, and to work with authorizers to establish joint monitoring and data collection protocols that minimize the need for charter schools to submit duplicative reports. States that have independent statewide charter boards should also consider allocating a proportionate share of pre-K funds to them and allowing them to distribute those funds to charter schools and oversee the quality of recipient charter pre-K programs.

THE ROLE OF AUTHORIZERS IN OVERSEEING CHARTER PRE-K

Charter school authorizers are entities, defined in state law, that have the authority to grant school charters. Once an authorizer approves a school's charter, it is responsible for ongoing monitoring and oversight of the school, including holding the school accountable for student learning outcomes, compliance with state law and regulations, and fiscal management.

As such, authorizers play a crucial role in shaping both the supply and quality of K–12 charter schools. But their role with regard to charter pre-K programs is often unclear. We found that in many states, charter authorizers do not approve charters' pre-K programs or actively monitor their quality. In some states, the disconnect between charter authorizers and pre-K programs is such that certain authorizers did not even know whether the schools they had chartered were operating pre-K programs.

Why don't authorizers play a more active role in monitoring the quality of charter pre-K programs? Often, the reason is that pre-K is not technically considered a part of the charter school. This is particularly but not exclusively true in states where charters serve preschoolers through an affiliated nonprofit organization (see *What Are Affiliated Pre-K Programs?*, page 16).

In many states, including some that allow charters to directly operate pre-K (such as New York and Michigan), pre-K is viewed as a "program" rather than a grade within the school. As a result, authorizers view monitoring the quality of a charter school's pre-K as the responsibility of the state office or agency that runs the state-funded pre-K program. In Georgia, for example, authorizers discourage charter schools from including pre-K in their charter applications because pre-K programs are approved and funded by the Department of Early Care and Learning (DECAL), rather than through the state school funding formula. In Michigan, charter schools are permitted to operate pre-K programs and receive state pre-K funding, but because pre-K is funded through the state's Great Start School Readiness Program (and not the state's K–12

funding formula), authorizers do not consider charter pre-K to be within their purview.

In most states, charter schools that operate pre-K programs are subject to two different accountability mechanisms—to their authorizer for the performance and results of the K–12 portion of the school, and to the state pre-K program for meeting pre-K quality standards. (As noted in the report, many state pre-K programs have extensive quality and compliance requirements from which charter schools are not exempt.) This dichotomy burdens charter schools with multiple reporting and compliance requirements from different agencies and leads to lack of coordination between regulators. For example, a state pre-K program might approve a charter to offer pre-K without taking into account the authorizer's assessment of the school's financial performance or the quality of its elementary school program.

Even where authorizers have the authority both to approve charters for pre-K funding and to oversee charter pre-K programs—as is the case in Texas, Wisconsin, the District of Columbia, and Connecticut—most have not developed clear frameworks for evaluating applicants' proposed pre-K programs or for monitoring schools' pre-K performance once approved. Instead, most authorizers evaluate charter schools that serve pre-K students using accountability criteria and frameworks that focus on the school's performance in state-tested grades and subjects (typically grades 3–8), essentially ignoring the performance of the charter school's pre-K and early elementary grades.

One interesting exception is the District of Columbia Public Charter School Board (PCSB), which has developed an early childhood version of its Performance Management Framework (PMF) to evaluate the quality of both pre-K and K–2 programs in the schools it oversees. This framework includes observational measures of teaching quality in charter schools' pre-K classrooms, along with standardized assessments of student learning growth in grades K–2. Schools and PCSB publicly report data on children's

learning in pre-K, but due to the variation in early childhood assessments used by charter schools in pre-K and the associated technical challenges in aligning standards across all of them, these data are not used to rate schools' performance. PCSB is currently in the process of integrating these early childhood performance frameworks into a single, campus-level PMF that will reflect how charter schools are serving students across all grade levels served.

As more charter schools begin to offer pre-K, other authorizers may follow PCSB's lead. With the recent expansion of universal full-day pre-K in New York City, for example, more New York charter schools are adding pre-K, and the State University of New York (SUNY)—which authorizes more than 90 percent of New York charter schools—is considering how best to hold these schools accountable. New York illustrates one potential challenge with expanding authorizers' role in monitoring charter pre-K programs, however. The state makes clear that authorizers are responsible for overseeing charter pre-K programs, but also requires an inspectorate-style review of all pre-K providers' compliance with program requirements twice annually. These standards would require SUNY to conduct more monitoring visits in charters that operate pre-K programs than in other schools it oversees. Since SUNY does not currently have the capacity to conduct these specialized reviews, it has contracted with the New York City Department of Education to carry out required pre-K monitoring for the time being. The New York example illustrates the potential

challenge in asking authorizers to oversee charters' compliance with the more prescriptive quality requirements found in many state pre-K programs, as well as the limited capacity (and expertise) that most authorizers have to conduct specialized monitoring of pre-K programs.

Despite these hurdles, separating accountability for charters' pre-K and K–12 programs makes little sense. Ideally, children enrolled in a charter school's pre-K program will go on to enroll in the school's grades K–12 (though, as we discuss, some state policies make that difficult). Both programs contribute to children's eventual school and life outcomes, and as such, charter authorizers should be ultimately responsible for the quality of the schools they authorize, including pre-K programs operated by those schools.

As state pre-K programs grow and more charter schools offer pre-K, policymakers and funders should invest in developing authorizers' capacity to effectively oversee charter pre-K programs, while also carefully evaluating which compliance-based program quality standards should apply to charter schools. In the near term, states should work to increase collaboration and coordination between pre-K programs and charter authorizers. This will minimize duplicative oversight burdens on charters and ensure that children attending charter pre-K and elementary schools have an aligned, high-quality experience in both pre-K and elementary grades.

For Federal Policymakers

While the primary responsibility for improving policies related to pre-K and charter schools lies with state policymakers, federal policymakers can take steps to encourage improvements in state policies. Specifically, federal policymakers should:

- **Include pre-K in the federal definition of charter schools.** Currently, the Elementary and Secondary Education Act defines a charter school as a school that provides an elementary or secondary program or both. Pre-K and early childhood education are not included in this definition. Federal legislators should change the definition of charter schools in the law to include “a school that offers a program of preschool, elementary school, or secondary education, or any combination thereof.” This terminology would encourage states to amend their definition of charter schools to include pre-K, and

would also ensure that charter schools that start with pre-K are able to access federal Charter School Program (CSP) funds.

- **Revise federal CSP guidance on enrolling students from pre-K into kindergarten to reflect the reality of publicly funded, targeted pre-K programs.** As noted in *Tuition-Based Preschool in Charter Schools* (page 17), the U.S. Department of Education has released guidance on how charter schools can enroll children from a pre-K program operated by a charter school into that school's kindergarten program. This guidance, however, appears to be designed primarily for tuition-based pre-K programs rather than situations in which charter schools offer free pre-K through a state-funded program. The department should develop additional guidance for charter schools that participate in state-funded pre-K programs or offer state-funded pre-K through an affiliated provider. This guidance should reflect similar policies to those described above.
- **Ensure that federal preschool programs provide equitable access to funding for charter schools.** The federal government provides significant funding for early childhood education through a range of programs, including Head Start and the Preschool Development Grants program.
 - » **Preschool Development Grants.** While most federal early childhood funds flow through programs separate from the state pre-K program, the Obama administration has sought to increase federal support for state-funded pre-K; the Preschool Development Grants program, funded in the 2014 appropriations bill, provided funding for states to expand state-funded pre-K programs. If federal policymakers continue to provide funds to support state pre-K programs or enact new programs to expand access, they should ensure that these programs encourage states to include charter schools (as well as district- and community-based providers) in them. Any such program should include charter schools, as well as districts and community-based providers, in its definition of local entities eligible to receive funding.

Yet simply including charter schools in the definition of eligible recipients of funding may not be enough to ensure that they get equitable access to such funding, particularly in states where pre-K funds currently flow primarily through school districts. Federal policymakers should ensure that language regarding the distribution of funds from states to local entities is not written in ways that create other barriers to charters. In addition, state applications for future rounds of Preschool Development Grants or similar programs should require states to describe how they will ensure equitable access for charter schools and community-based programs that meet state requirements for pre-K programs.

- » **Head Start.** Federal policymakers should also take steps to enable more charter schools to compete for Head Start grants that become open to competition. Under the 2007 Head Start reauthorization, grantees that fail to operate a high-quality and comprehensive program are required to compete to retain their grants. While grants have sometimes been transferred to new agencies as a result of this process, few charters have applied for Head Start grants, and none have received a Head Start grant through the designation renewal process. The Department of Health and Human Services should take steps to enable more charter schools to compete for Head Start grants by providing suitable guidance to help them understand and meet Head Start requirements and reviewing the guidance given to peer reviewers to ensure that it does not include any instructions that create potential bias against charters. (See Appendix C for more.)

For the Broader Field

Funders, researchers, and advocates can also play a role in reducing the barriers that charter schools face in serving pre-K students.

- **Support additional research on charters offering early childhood programs.**

Although charter schools face substantial barriers in accessing state pre-K funds, many of them are serving pre-K students, either as part of the charter school or through an affiliated program, and with both state pre-K funds and other funding streams. Yet despite the increasing number of charter schools that serve preschoolers, relatively little is known about the quality of preschool programs operated by charters, their specific practices in serving pre-K children, or the range of funding streams (besides state pre-K programs) that they access to serve preschool students. Additional research is needed in each of these areas. (See Appendix B.)

- **Build capacity of charter authorizers.** If the number of charter schools serving preschoolers increases, charter authorizers will need to increase their capacity to hold charter schools accountable for the quality and results of their pre-K programs. Most existing charter authorizers do not have practices or policies in place to monitor the quality of pre-K in charter schools they oversee. Building this capacity will require increased capability at the individual authorizer level, as well as the creation of tools and models that many authorizers can use to monitor pre-K in schools they oversee. Philanthropic funders can support investments in capacity building at the authorizer level. They should also fund national organizations or leading authorizers to develop and disseminate tools and models that other authorizers can use to monitor pre-K quality and hold charters accountable for their pre-K programs.

Conclusion

Over the next twenty-five years, both charter schools and publicly funded pre-K will likely play increasingly significant roles in American education. The combination of high-quality pre-K and effective charters has the potential to produce better results for children—particularly low-income, at-risk children—than either pre-K or charter schools can do alone. To realize this potential, policymakers, charter leaders, and pre-K advocates must recognize the value that charter schools hold in the already diverse landscape of pre-K providers. And policymakers and advocates will need to move beyond making policy in silos and instead consider how pre-K, charter school, and school finance policies work together to expand or limit high-quality learning opportunities for young children.

Of course, creating high-quality pre-K programs is hard work. Not all charter schools want to serve preschool students, or have the capacity and expertise to do so effectively. But right now, barriers to accessing pre-K funding prevent many of them from even trying. This is a huge missed opportunity for both the pre-K and charter movements. It's also one that policymakers have the ability to address.

Endnotes

- 1 National Alliance for Public Charter Schools, “A Growing Movement: America’s Largest Charter School Communities” (Washington, D.C.: NACPS, December 2, 2014), <http://www.publiccharters.org/publications/enrollment-share-2014/>.
- 2 Alabama enacted a charter school law in spring 2015, after we completed our research for this study. Oregon is excluded because its state-funded pre-K program is a Head Start supplement.
- 3 We excluded the following states since they do not have both a state-funded pre-K program and charter law at the time we collected data: Hawaii, Idaho, Kentucky, Mississippi, Montana, Nebraska, New Hampshire, North Dakota, South Dakota, Utah, Vermont, West Virginia, and Wyoming.
- 4 Washington, D.C., Texas, and Oklahoma had no barriers, at least not those that we chose to include in our analysis. Florida and Michigan do not score well on our evaluation in part because their charters have to go through another entity to operate—but in practice, those entities have been more willing to share funding with charter schools than their same peers in other states.
- 5 Pennsylvania Department of Education, “Statement Regarding the Effect of the Pennsylvania Supreme Court Decision,” January 4, 2012, http://www.portal.state.pa.us/portal/http://www.portal.state.pa.us;80/portal/server.pt/gateway/PTARGS_0_123706_1246296_0_0_18/CSFunding%20PA%20Supreme%20Court%20K4%20Decision%201-4-12.pdf.
- 6 W. Steven Barnett et al., *The State of Preschool: 2013* (New Brunswick, NJ: National Institute for Early Education Research, 2013), <http://nieer.org/sites/nieer/files/yearbook2013.pdf>.
- 7 Megan Batdorff et al., “Charter School Funding: Inequity Expands” (Fayetteville, AR: School Choice Demonstration Project, April 2014), <http://www.uaedreform.org/wp-content/uploads/charter-funding-inequity-expands.pdf>.
- 8 A. Mashburn et al., “Measures of Classroom Quality in Pre-Kindergarten and Children’s Development of Academic, Language, and Social Skills,” *Child Development* 79 no. 3 (2008), 732–749.
- 9 Georgia’s program is intended to be universal, but in recent years the state has not had sufficient funding to provide pre-K to all eligible children—mostly because of declining lottery revenues, which, at their peak, once funded the program. In the 2012–13 school year, Georgia’s UPK program enrolled just under 60 percent of four-year-olds.
- 10 As indicated, we excluded Alabama and Oregon from our sample—the former due to the newness of its charter law and the latter because the state pre-K program is a Head Start supplement.
- 11 U.S. Department of Education, “Charter Schools Program Nonregulatory Guidance,” <http://www2.ed.gov/programs/charter/nonregulatory-guidance.html>.

Alaska



Background

Alaska Pre-Kindergarten Program

The Alaska Pre-Kindergarten program is a competitive grant that funds part-day pre-K for four-year-olds who meet Head Start income eligibility requirements.¹

The Alaska Department of Education and Early Development (EED) administers the Pre-Kindergarten Program as a competitive grant to districts.² Public school districts that receive pre-K funding may subcontract with faith-based centers, family child care centers, Head Start programs, private child care centers, and charter schools.

Charter schools in Alaska

Alaska allows for start-up and conversion charter schools. Charter schools in Alaska must be approved by both the local school board and the state board of education.³

Process for Accessing Pre-K Funds

Charter schools interested in offering pre-K can only do so if they partner with a school district to submit an application for funding. If the application is successful, funding flows to the school district, then to the charter school as a subcontractor.

School districts must apply for Alaska Pre-Kindergarten Funds through a competitive grant program administered by EED. EED assesses district applications based on multiple factors: the need for the program among the population being served; the quality of program design; parent, family, and community engagement; adequacy of resources; sustainability plan; management plan; program evaluation; previous success or promise of success; and the proposed budget. EED prioritizes applications that create partnerships with community providers or Head Start centers to leverage additional federal, state, or local funding.⁴

For FY 2015, EED estimates that it will award between five and eight school districts two-year grants of between \$50,000 and \$450,000, to serve between eleven and eighty children each. Funding for the program has fluctuated over time and as a result the number of seats has been inconsistent.⁵

Alaska Pre-Kindergarten Program funding serves as start-up funding that ramps down over time. Districts are able to receive additional years of funding, but in order to do so must submit



TOTAL SCORE

26/50

Alaska's climate for charter schools to offer pre-K is **not hospitable**

- + There are no state statutory or regulatory barriers to charter schools accessing state funding for pre-K.
- Compared to K-12 funding levels, low pre-K program funding makes offering pre-K less attractive to charters.
- The size of the pre-K program limits charter access to funding.
- The funding, application, or approval process creates a barrier to charter access.
- + Automatic enrollment from charter pre-K to kindergarten is not prohibited in legislation or practice.



grant proposals that reflect at least a 5 percent deduction in the amount requested or a 50 percent match in funding.⁶

All Alaska Pre-Kindergarten Program providers, including school districts, must be licensed child care providers through the Department of Health and Human Services.

Barriers

Are there any statutory or regulatory barriers to charter schools accessing state funding for pre-K?

+ **No.** Alaska's charter school legislation does not explicitly permit or prohibit charter schools from offering pre-K. In practice, only two charter schools in Alaska offer pre-K: the Alaska Native Cultural Charter School in Anchorage and Tongass School of Arts and Sciences in Ketchikan. These schools do not, however, use Alaska Pre-Kindergarten Program dollars to fund their pre-K programs, but instead use other local, state, and federal funds.

Is the funding level of the state pre-K program a barrier to charter access?

- **Yes.** Low pre-K program funding, compared to K-12 funding levels, makes pre-K less attractive to charters. Alaska does not provide a set per-pupil funding level for state-funded pre-K, but the grant amounts districts receive through the Alaska Pre-Kindergarten Program offer a low amount of funding per child served, even for a half-day program.

Is the size of the state pre-K program a barrier to charter access?

- **Yes.** The size of the program is a barrier to charters accessing state pre-K funds. The program only serves 3 percent of all four-year-olds in the state.

Is the application, approval, and/or funding process a barrier to charter access?

- **Yes.** The application process is a barrier to charter access to state pre-K funding. Charter schools cannot apply for funding directly through the state; they must collaborate with a school district to submit a joint application. Because Alaska charter schools are authorized by local districts, this policy makes the district responsible for both authorizing the charter school to serve pre-K and allocating funds for it to do so, but it provides no recourse for charters if the district elects not to share pre-K funds with them.

Is automatic enrollment from pre-K to kindergarten prohibited in legislation or practice?

+ **No.** The charter law does not explicitly allow or prohibit automatic enrollment from pre-K into kindergarten. The legislation states that charter schools must have a written student recruitment process, including a lottery mechanism in cases of oversubscription. The recruitment process may include priority consideration for certain student populations, if approved by the authorizer. Charter schools may include priority preferences for students enrolled in their pre-K program if their authorizer approves it.

Recommendations

The major barrier to accessing pre-K funds—for both districts and charter schools—is the very small scale of the program itself. If the state chooses to increase the number of pre-K slots, two changes would allow charter schools to more easily offer pre-K:

- Revise the charter school legislation to explicitly permit charter schools to offer pre-K.
- Revise the Pre-Kindergarten Grant application to make charter schools eligible applicants and permit them to apply for funding independent of school districts.



	Alaska Pre-Kindergarten Program	Charter Schools in Alaska
Year created	Launched in 2011 ⁷	Charter law enacted in 1995 ⁸
Children in state	20,049 three- and four-year-olds in Alaska ⁹	152,497 school-age children in Alaska ¹⁰
Children served	345 children served 0 percent of three-year-olds 3 percent of four-year-olds ¹¹	5,980 students served 3.9 percent of school-age population Twenty-seven charter schools ¹²
Charters offering pre-K	Two charter schools in Alaska offer pre-K. ¹³	Twenty charter schools in Alaska offer elementary programs. ¹⁴
Funding	Alaska awards pre-K funds to districts as a flat grant amount, rather than on a per-pupil basis. Currently, districts may receive grants of between \$50,000 and \$450,000 to serve eleven to eighty students.	Charter schools receive \$5,860 per pupil to serve K–12 students. ¹⁵

Endnotes

1 Children must be from families who are at or below 100 percent of the federal poverty level (FPL). If space is available, up to 35 percent of children from families between 100 and 135 percent FPL may enroll in the program.

2 Alaska Department of Education and Early Development, “Opportunity for Pre-Kindergarten Grants,” http://education.alaska.gov/news/releases/2014/opportunity_for_prekinder.pdf.

3 National Alliance for Public Charter Schools (NAPCS), “Measuring Up: Alaska,” <http://www.publiccharters.org/get-the-facts/law-database/states/AK>.

4 Alaska Department of Education and Early Development, “Request for Applications: Alaska Pre-Kindergarten Program 2015,” April 23, 2014, <http://www.eed.state.ak.us/forms/Preelementary/05-12-039.pdf>, 19-27.

5 Alaska Department of Education and Early Development, “Request for Applications,” 8.

6 Ibid., 9.

7 W. Steven Barnett et al., “The State of Preschool 2013: State Preschool Yearbook” (New Brunswick, NJ: National Institute for Early Education Research, 2013), <http://nieer.org/sites/nieer/files/yearbook2013.pdf>.

8 NAPCS, “Measuring Up: Alaska.”

9 State population data calculated using ACS 2012 five-year estimates; U.S. Census Bureau, “American Community Survey,” www.census.gov/acs.

10 Ibid., all children in households, three to seventeen years old.

11 W. Steven Barnett et al., “The State of Preschool 2013.”

12 NAPCS, “Measuring Up: Alaska.”

13 Alaska Native Cultural Charter School, <http://www.asdk12.org/schools/anccs/pages/>.

14 Alaska Charter Schools Directory, http://education.alaska.gov/alaskan_schools/charter/pdf/charter_school_directory.pdf.

15 Winterberry Charter School, “How Charter Schools are Funded,” February 2013, http://www.legis.state.ak.us/basis/get_documents.asp?session=28&docid=20743.

Arizona

Background

Arizona First Things First-Quality First Scholarships

In 2006, Arizona voters passed Proposition 203, which levied a tobacco tax to provide a number of health and education services, including state-funded pre-K, to children under age five. Prop 203 also created a statewide board, called the Early Childhood Development and Health Board (otherwise known as First Things First), and local regional councils to administer the state pre-K program within regions and communities.

Through Prop 203, Arizona offers full- and half-day pre-K scholarships, called Quality First Scholarships, to children from families with a household income at or below 200 percent of the federal poverty level. First Things First administers Quality First Scholarships.

Nonprofit organizations, governmental units (including schools and districts), tribal governments, institutions of higher education, and private organizations that operate early childhood education programs are eligible to compete for Quality First Scholarships. To be eligible to participate, a provider must participate in the state's quality rating and improvement system (QRIS), called Quality First.¹ The number of Quality First Scholarships a program is eligible to receive is based in part on its Quality First rating. Charter schools can only operate Quality First through an affiliated pre-K program.²

Charter schools in Arizona

Arizona allows startup and conversion charter schools. Local school boards, the Arizona State Board for Charter Schools (ASBCS), the state board of education, a university, a community college district, or a group of community college districts may serve as charter school authorizers.³ Currently, only local school boards, ASBCS, and Arizona State University authorize charter schools.⁴

Process for Accessing Pre-K Funds

To receive Quality First Scholarships, new potential providers must be licensed by the Arizona Department of Health Services and enrolled in the Quality First QRIS.⁵ The Quality First QRIS assigns providers quality ratings of 0–5 stars across seven indicators, including learning environments, teacher-child interactions, and group sizes.⁶ Potential providers can apply to participate in the Quality First QRIS at any point, but are placed on a waiting list until funding is available.



TOTAL SCORE

10/50

Arizona's climate for charter schools to offer pre-K is **not hospitable**

- There are state statutory or regulatory barriers to charter schools accessing state funding for pre-K.
- + Compared to K–12 funding levels, pre-K program funding is sufficient to attract charters.
- The size of the pre-K program limits charter access to funding.
- + The funding, application, or approval processes do not create barriers to charter access.
- Automatic enrollment from charter pre-K to kindergarten is prohibited in legislation or practice.



Once the provider is enrolled as a Quality First participant, they are eligible to receive Quality First scholarships at the start of the next fiscal quarter.⁷ Starting in FY14, only programs that earn a three-star rating on the First Things First quality rating system are eligible for funding.⁸

First Things First allocates funding to local entities, called Regional Councils, based on both the population of children under five and those under five living in poverty in that region. Each Regional Council determines how the funding will be used to support preschool children in that community, including Quality First Scholarships. Regional Councils award Quality First Scholarships to providers based on quality level and program size (with higher-quality and larger programs receiving more Quality First Scholarships).

Barriers

Are there any statutory or regulatory barriers to charter schools accessing state funding for pre-K?

 **Yes.** Arizona charter school legislation requires that a charter school “ensure that it provides a comprehensive program of instruction for at least a kindergarten program or any grade between grades one and twelve.” The state interprets this language to mean that charter schools cannot offer pre-K as part of the charter school, and the state’s pre-K legislation does not list charter schools as eligible providers. Charter schools can, however, offer pre-K through an affiliated program. Currently, at least five charter schools in Arizona offer pre-K through an affiliated program.

Is the funding level of the state pre-K program a barrier to charter access?

 **No.** The funding level is not a barrier to charters offering affiliated pre-K programs in Arizona. Depending on the quality of the program, pre-K providers may receive more than charter schools receive, per-pupil, for serving K–12 students.

Is the size of the state pre-K program a barrier to charter access?

 **Yes.** The size of the program is a barrier to charters accessing state pre-K funds. The program only serves 3 percent of all four-year-olds in the state.

Is the application, approval, and/or funding process a barrier to charter access?

 **No.** Were charter schools permitted to offer pre-K directly (which they now are not), they would apply to do so through the same processes as other providers in the state.

Is automatic enrollment from pre-K to kindergarten prohibited in legislation or practice?

 **Yes.** Charter schools that offer pre-K through an affiliated program cannot automatically enroll pre-K students into their kindergarten program. If the school is oversubscribed, those students must enter the lottery like everyone else.

Recommendations

To address these statutory, funding, and other barriers, Arizona should:

- Revise the state’s charter school law to allow charter schools to serve preschoolers.
- Release guidance clarifying that charter schools themselves, not just affiliated organizations, can apply for Quality First Scholarships.
- Expand the Quality First Scholarship program to serve more eligible children.
- Revise the state charter law to allow charter schools to grant enrollment preference for students who attend the charter school’s Quality First pre-K program.



	Arizona First Things First-Quality First Scholarships	Charter schools in Arizona
Year created	Launched in 2006 ⁹	Charter law enacted in 1993 ¹⁰
Children in state	185,348 three- and four-year-olds in Arizona ¹¹	1,351,384 school-age children in Arizona ¹²
Children served	6,516 children served 2 percent of three-year-olds 3 percent of four-year-olds ¹³	190,672 students served 1.6 percent of school-age population 605 charter schools ¹⁴
Charters offering pre-K	At least five charter schools in Arizona offer pre-K through affiliated organizations. The state does not track data on the number of charter schools with affiliated pre-K programs. ¹⁵	374 charter schools in Arizona offer elementary programs. ¹⁶
Funding	Quality First providers receive between \$4,875 and \$11,300 depending on age of child served, type of provider, and rating of the provider. ¹⁷	Charter schools receive \$7,413 per pupil to serve K–12 students. ¹⁸

Endnotes

1 John Huppenthal et al., “Arizona Early Learning Standards: Third Edition” (Phoenix, AZ: Arizona Department of Education, May 2013), <http://www.azed.gov/early-childhood/files/2011/11/arizona-early-learning-standards-3rd-edition.pdf>.

2 An affiliated pre-K program is one that a charter school operates through a separate, but affiliated, entity or organization.

3 National Association of Charter School Authorizers, “Arizona Charter Authorizers,” <http://www.qualitycharters.org/authorizer-comparison/state-by-state-overviews-arizona.html>.

4 National Alliance for Public Charter Schools (NAPCS), “Measuring Up: Arizona,” <http://www.publiccharters.org/get-the-facts/law-database/states/AZ/>.

5 Arizona Department of Education, “FY13 First Things First Pre-Kindergarten Scholarship Grant Manual, Revised” (Phoenix, AZ: Arizona Department of Education and Valley of the Sun United Way), <http://www.azed.gov/early-childhood/files/2012/11/fy13-manual-finalized.pdf>, 4.

6 Quality First, “Star Ratings: Why Ratings?” <http://qualityfirstaz.com/providers/star-ratings/>.

7 Quality First, “Scholarship Program Policies,” June 10, 2014, http://www.azftfscholarships.org/images/uploads/policies_FY15.pdf, 1.

8 Arizona Department of Education, “FY13 First Things First Pre-Kindergarten Scholarship Grant Manual,” 4.

9 W. Steven Barnett et al., “The State of Preschool 2013: State Preschool Yearbook” (New Brunswick, NJ: National Institute for Early Education Research, 2013), <http://nieer.org/sites/nieer/files/yearbook2013.pdf>.

10 NAPCS, “Measuring Up: Arizona.”

11 State population data calculated using ACS 2012 five-year estimates; U.S. Census Bureau, “American Community Survey,” www.census.gov/acs.

12 Ibid., all children in households, three to seventeen years old.

13 W. Steven Barnett et al., “The State of Preschool 2013.”

14 NAPCS, “Measuring Up: Arizona.”

15 Quality First, search page, <http://qualityfirstaz.com/search/>: Imagine Camelback, Accelerated Learning, Desert Heights, Paideia, and Daisy.

16 Arizona Department of Education, charter school search page, <http://www.azed.gov/charterschools/search/>.

17 Quality First, “Participant Implementation Guide: Fiscal Year 2015,” <http://qualityfirstaz.com/providers/how-quality-first-works/QualityFirst-Implementation-Guide.pdf>, 31.

18 JLBC Staff, “Overview of K–12 Per-Pupil Funding for School Districts and Charter Schools,” June 18, 2014, <http://www.azleg.gov/jlbc/districtvscharterfunding.pdf>.

Arkansas

Background

In 1991, Arkansas established the Arkansas Better Chance (ABC) program for at-risk children from birth to age five. In 2003, through the Arkansas Better Chance for School Success (ABCSS) program, the state expanded ABC access to three- and four-year-olds who live below 200 percent of the federal poverty level.¹ ABC and ABCSS are very similar; funding for these programs is often referred to as ABC grants. They follow the same application and funding processes, program requirements, and quality standards.

The Division of Child Care and Early Childhood Education (DCCECE), under the Department of Human Services, administers ABC funding as a competitive grant. Public schools, Head Start agencies, service cooperatives, private businesses, and nonprofit organizations are eligible providers.² Charter schools are also eligible to offer pre-K using ABC funding.

Charter schools in Arkansas

Arkansas has both conversion charter schools and open-enrollment charter schools.

Conversion charters are former district schools that have been converted to public charter schools.³ They remain part of the local school district and may only enroll students who reside in the school district's boundaries.⁴ Open-enrollment charter schools are new-start charters that operate as independent local education agencies⁵ and can draw students from across district boundaries.⁶

The Arkansas Department of Education serves as the authorizer for all charter schools in the state. Conversion charters must also be approved by the local board. New charters undergo a non-binding review by the local school board before the Department of Education makes its decision. Both charter applicants and affected districts may appeal the department's decision to the state's board of education.⁷

Process for Accessing Pre-K Funds

To offer ABC, charter schools and other potential providers must participate in the application cycle administered by DCCECE every April. Existing providers must reapply annually. All providers must be licensed by DCCECE as child care centers or child care family homes to be eligible for funding.⁸

ABC applications can earn a total of one hundred points. Any provider with an application score of above eighty points will be considered for funding. State legislation requires that, in



TOTAL SCORE

36/50

Arkansas's climate for charter schools to offer pre-K is **somewhat hospitable**

- + There are no state statutory or regulatory barriers to charter schools accessing state funding for pre-K.
- Compared to K-12 funding levels, low pre-K program funding makes offering pre-K less attractive to charters.
- + The size of the pre-K program does not limit charter access to funding.
- + The funding, application, and approval processes are not barriers to charter access.
- + Automatic enrollment from charter pre-K to kindergarten is not prohibited in legislation or practice.



awarding funding, DCCECE must award priority consideration to applications from areas that have:

- Local elementary schools in school improvement status. The longer a school has been in school improvement status, the higher the funding priority.
- Local districts designated as being in “Academic Distress.” The longer a district has held this designation, the higher the funding priority.
- More than 75 percent of fourth-grade students scoring below proficient in state tests in the prior two years. Districts in this category receive funding in descending order of the percentage of students scoring below proficient in literacy and then math.
- All ABC providers must contribute a 40 percent match to state funding. The match can either be cash or in-kind, such as parent volunteer hours, operating funds, or an additional grant.

Barriers

Are there any statutory or regulatory barriers to charter schools accessing state funding for pre-K?

 **No.** Arkansas’s charter school and preschool policies do not explicitly allow or prevent charter schools from offering pre-K. Charter schools may apply for ABC funding, but must meet all child care licensure requirements applicable to community-based providers, including requirements for staff-to-child ratios, behavior guidance, record-keeping, nutrition, health, safety, facilities, and equipment and furnishings.⁹ As of March 2015, only two charter schools in the state offer pre-K: one open-enrollment charter school and one district conversion charter school.

Is the funding level of the state pre-K a barrier to charter access?

 **Yes.** Low pre-K program funding makes pre-K less attractive to charters. ABC per-pupil funding is low, particularly considering that it is a full-day program. Charters offering ABC receive less than 58 percent of the per-pupil funding they receive to serve K–12 students. Further, all providers must contribute a 40 percent match in order to receive state funding for ABC. Because charter schools receive much less funding per pupil to serve pre-K students than those in K–12, it is particularly burdensome for charters to provide a match.

Is the size of the state pre-K program a barrier to charter access?

 **No.** The size of the pre-K program does not limit charter access to funding. The program serves about 33 percent of all four-year-olds in the state.

Is the application, approval, and/or funding process a barrier to charter access?

 **No.** Charter schools apply to offer ABC as any other potential provider would.

Is automatic enrollment from pre-K to kindergarten prohibited in legislation or practice?

 **No.** The law does not explicitly allow or prohibit automatic enrollment from pre-K into kindergarten. In practice, at least one charter school enrolls pre-K students via lottery and enrolls those students directly in kindergarten. Because the school’s kindergarten is larger than its pre-K, it can enroll pre-K students in kindergarten while also accepting new kindergarten students.

Are there other barriers to charter access to state pre-K funding?

 **Yes.** There are two additional barriers to charter schools’ access:

- ABC slots generally become available in April, but providers are not notified of their number of slots until much later, sometimes after school has begun and almost certainly after the beginning of the new state fiscal year in July.
- Charter schools that receive ABC funding must meet all the Department of Human Services (DHS) child care licensing and ABC facilities requirements, some of which are quite burdensome, especially for charter schools, as they receive no facilities funding from the state.

Recommendations

To address these funding and other barriers, the state should:

- Increase ABC funding to cover the cost of delivering a high-quality program, which would enable more charter schools to offer the program and invite a broader range of other providers.
- Allow charter schools that receive ABC funding to waive the match requirement, or meet a lower match, as long as they are able to meet DCCECE's program quality requirements.
- Award ABC contracts for multiple years. The annual re-application cycle is burdensome for all providers. DCCECE should consider awarding ABC contracts on a five-year term, the same term as charter schools' charters.
- Change the ABC application and award timeline so providers know how many slots they will have before they finalize their budgets for the following school year.
- Allow charters to waive some of the more burdensome child care licensing and ABC facilities requirements (e.g., table height, how children's coats are hung up). These requirements can be costly for schools to meet and do not directly contribute to charter schools' or other providers' ability to prepare children for success in kindergarten.
- Provide facilities funding to charters. In addition to increasing funding equity for K-12 charter schools, this would enable more charter schools to meet the facilities requirements to serve young children.
- Revise the state charter law to allow charter schools to grant enrollment preference for students who attend the charter school's ABC-funded program.

	Arkansas Better Chance (ABC)	Charter schools in Arkansas
Year created	Launched in 1991 ¹⁰	Charter law enacted in 1999 ¹¹
Children in state	80,792 three- and four-year-olds in Arkansas ¹²	590,794 school-age children in Arkansas ¹³
Children served	20,129 children served 14 percent of three-year-olds 33 percent of four-year-olds ¹⁴	16,051 students served 2.7 percent of school-age population Thirty-nine charter schools ¹⁵
Charters offering pre-K	Two charter schools in Arkansas offer pre-K. ¹⁶	Fourteen charter schools in Arkansas offer elementary programs. ¹⁷
Funding	Providers receive \$4,860 per pupil from the state to offer ABC.	Charter schools receive \$8,392. ¹⁸



Endnotes

- 1 Arkansas Department of Education, “Rules Governing the Arkansas Better Chance Program,” August 2, 2007, http://humanservices.arkansas.gov/dccece/abc_docs/ABCrules.pdf.
- 2 W. Steven Barnett et al., “The State of Preschool 2013: State Preschool Yearbook” (New Brunswick, NJ: National Institute for Early Education Research, 2013), <http://nieer.org/sites/nieer/files/yearbook2013.pdf>.
- 3 Arkansas Department of Education, “Charter Schools,” <http://www.arkansased.org/contact-us/charter-schools>.
- 4 Ibid.
- 5 Arkansas General Assembly, “Arkansas Quality Charter Schools Act of 2013” (A.C.A. § 6-23-103), http://www.arkansased.gov/public/userfiles/Learning_Services/Charter%20and%20Home%20School/Charter%20School-Division%20of%20Learning%20Services/Arkansas_Quality_Charter_Schools_Act_of_2013.pdf.
- 6 Arkansas Department of Education, “Charter Schools.”
- 7 National Alliance for Public Charter Schools (NAPCS), “Measuring Up: Arkansas,” <http://www.publiccharters.org/get-the-facts/law-database/states/AR/>.
- 8 Arkansas Department of Education, “Rules Governing the Arkansas Better Chance Program.”
- 9 Arkansas Division of Child Care and Early Childhood Education, “Arkansas Better Chance Program Manual,” August 2009, <http://www.arkleg.state.ar.us/education/prek/ARBetterChancePrgDocLib/ABC%20Program%20Manual.pdf>.
- 10 W. Steven Barnett et al., “The State of Preschool 2013.”
- 11 National Alliance for Public Charter Schools (NAPCS), “Measuring Up: Arkansas.”
- 12 State population data calculated using ACS 2012 five-year estimates; U.S. Census Bureau, “American Community Survey,” www.census.gov/acs.
- 13 Ibid., all children in households, three to seventeen years old.
- 14 W. Steven Barnett et al., “The State of Preschool 2013.”
- 15 NAPCS, “Measuring Up: Arkansas.”
- 16 KIPP Delta Elementary Literacy Academy and one district conversion charter school.
- 17 Arkansas Public School Resource Center, “Open Enrollment Charter School Directory,” <http://www.apsrc.net/PageDisplay.asp?p1=315>, and “District Conversion Public Charter School Directory,” <http://www.apsrc.net/PageDisplay.asp?p1=591>.
- 18 Meagan Batdorff et al., “Charter School Funding: Inequality Expands,” Arkansas section (Fayetteville, AR: University of Arkansas Department of Education Reform, School Choice Demonstration Project, April 2014), <http://www.uaedreform.org/wp-content/uploads/2014/charter-funding-inequity-expands-ar.pdf>.

California

Background

California offers two state-funded pre-K options: the California State Preschool Program (CSPP) and the Transitional Kindergarten (TK) program.

California State Preschool Program (CSPP)

California offers part-day and full-day CSPP options for three- and four-year-olds.¹ Part-day CSPP is available to children from families with income at or below 70 percent of the state median income.² Full-day CSPP is open to families that meet the same income-eligibility test and also demonstrate additional need for child care services (e.g., parents who are employed full time), but there are not enough full-day CSPP slots to meet existing need. Up to 10 percent of each CSPP contract is available to children from families with slightly higher incomes if space allows.³ Four-year-olds have priority over three-year-olds for CSPP slots.⁴

The California Department of Education administers CSPP through contracts with eligible entities. Local educational agencies (LEAs), charter schools, colleges, community-action agencies, and private nonprofits are eligible to receive CSPP funding.⁵ Charter schools may also subcontract with LEAs to provide CSPP services.⁶

Transitional Kindergarten (TK)

TK is a half- or full-day program for four-year-old children with birthdays between September and December, who miss the state's new September 1 cutoff date for turning five before starting kindergarten.⁷ All age-eligible children are permitted to attend, and all LEAs that offer kindergarten are required to offer TK,⁸ including charter schools.⁹

The California Department of Education administers TK. LEAs receive per-pupil TK funding through the same Average Daily Attendance (ADA) formula used for students in the K-3 grade span.¹⁰

Charter schools in California

California permits both start-up and conversion charter schools. Local school boards, county boards of education, and the state board of education serve as authorizers. County boards may approve applications for charters seeking to serve students from multiple school districts, and the state board may approve applications from charters seeking to serve students statewide. The law also provides for an appeals process whereby applicants rejected by their local boards may appeal first to the county board, and then, if necessary, to the state board of education for a final decision.¹¹



TOTAL SCORE

30/50

California's climate for charter schools to offer pre-K is **somewhat hospitable***

- + There are no state statutory or regulatory barriers to charter schools accessing state funding for pre-K.
- Compared to K-12 funding levels, low pre-K program funding makes pre-K less attractive to charters.
- + The size of the pre-K program does not limit charter access to funding.
- The funding, application, or approval process creates a barrier to charter access.
- + Automatic enrollment from charter pre-K to kindergarten is not prohibited in legislation or practice.

** California's Index Score is based on the California State Preschool Program (CSPP), rather than Transitional Kindergarten (TK), because CSPP is the larger program in the state.*



Process for Accessing Pre-K Funds

To receive CSPP funds, potential providers, including charter schools, apply to the California Department of Education. For the past several years, CSPP funding has only been awarded to existing providers. In FY2014–15, the state released the first CSPP funding opportunity for new providers in nearly a decade. Charter schools may also offer CSPP by entering into a contract to provide pre-K services for an LEA that receives CSPP funding.

All LEAs and charter schools are required to offer TK for eligible children. Once TK students enroll, the school receives per-pupil funding through the ADA formula. Some charter schools may not enroll enough TK-eligible students to justify a separate TK class. In those cases, the charter school may institute multi-age kindergarten classes with appropriate teaching for each pupil. Other charter schools have addressed this issue by partnering with authorizing districts to have pupils enroll in the district's TK class with the understanding that those students will transfer to the charter after TK.

Barriers

This discussion of barriers focuses on both CSPP and TK because charters can access funding through both programs.

Are there any statutory or regulatory barriers to charter schools accessing state funding for pre-K?

+ CSPP: No. Charter schools are permitted to offer CSPP. The legislation that created CSPP does not explicitly list charter schools as applicants or contracting agencies, but the state has determined that charter schools can apply to offer CSPP like any other LEA.¹² Four charter schools in California receive CSPP funding directly through a contract with CDE.¹³ Additional charter schools offer CSPP through subcontracts with LEAs, but the state does not track the number of charters that do so.

+ TK: No. The Kindergarten Readiness Act, which created TK, requires that charter schools serve all students who are eligible for transitional kindergarten.¹⁴ About 235 charter schools have one or more students participating in a TK program.

Other California charters have opened preschools through alternative funding routes. Los Angeles charter schools, for example, have served preschoolers through the Los Angeles

Universal Preschool program funded by the Los Angeles County First 5 Commission.

Is the funding level of the state pre-K program a barrier to charter access?

– CSPP: Yes. Low pre-K program funding, compared to K–12 funding levels, makes pre-K less attractive to charters. Charter schools that offer half-day CPP receive 47 percent of the per-pupil funding amount that charters receive to serve full-day K–12 students.

+ TK: No. TK funding levels are sufficient to attract charters. Charter schools that offer TK receive 93 percent of the per-pupil funding amount that charters receive to serve full-day K–12 students.

Is the size of the state pre-K program a barrier to charter access?

+ CSPP: No. The size of the pre-K program does not limit charter access to funding. The program serves about 15 percent of all four-year-olds in the state.

+ TK: No. The TK program serves 8 percent of all four-year-olds in the state, but because all LEAs that offer kindergarten are required to provide TK, the small enrollment is not a barrier to charters offering pre-K.

Is the application, approval, and/or funding process a barrier to charter access?

– CSPP: Yes. The approval process is a barrier to charter access to CSPP funding. State funding for CSPP was cut in 2007 and remained stagnant until this year. As a result, CSPP funding has been limited to existing providers, effectively shutting out new potential providers, including charter schools.

+ TK: No. The application, approval, and funding processes are not barriers to charter access to TK funding.

Is automatic enrollment from pre-K to kindergarten prohibited in legislation or practice?

+ No. State law does not explicitly allow or prohibit charter schools to grant enrollment preference to the pre-K students served through CSPP. State law does, however, allow charters to define enrollment preferences with their authorizers, which may include preferences for pre-K students. Because TK is considered the first year of kindergarten, charter school TK students are able to automatically enroll in the charter school's kindergarten.



Recommendations

To eliminate barriers to charters accessing pre-K funding, California should:

- Regularly re-compete CSPP slots through a transparent application process whether or not funding increases. To provide stability for families and providers, the state could award CSPP grants for a set number of years, with staggered terms so that a certain percentage of grants expire every year. At the end of the grant period, new and existing providers should compete on an equitable basis, based on indicators such as student need, program quality, or track record of improving student outcomes.

	California State Preschool Program (CSPP)	Transitional Kindergarten (TK)	Charter schools in California
Year created	Launched in 2008 ¹⁶	Launched in 2010 ¹⁷	Charter law enacted in 1992 ¹⁸
Children in state	1,044,984 three- and four-year-olds ¹⁹		6,236,672 school-age children ²⁰
Children served	129,577 children served ²¹ 10 percent of three-year-olds 15 percent of four-year-olds ²²	39,000 children served 8 percent of four-year olds ²³	514,275 students served 8 percent of school-age children 1,178 charter schools ²⁴
Charters offering pre-K	Four charter schools in California offer CSPP directly through a contract with the state. ²⁵ Other charter schools may offer CSPP through a contract with an LEA, but the state does not track those data. Two hundred thirty-five charter schools have one or more students participating in a TK program. ²⁶		709 charter schools in California offer elementary programs. ²⁷
Funding	Providers receive \$3,899 per pupil to offer CSPP. ²⁸	LEAs, including charters, receive \$7,744 per pupil to offer TK. ²⁹	Charter schools receive \$8,324 to serve K–12 students. ³⁰



Endnotes

- 1 California Department of Education (CDE), “Child Care and Development Programs,” <http://www.cde.ca.gov/sp/cd/op/cdprograms.asp>.
- 2 San Mateo County Office of Education, “California State Preschool Programs: Eligibility” and “Funding Terms and Conditions and Program Requirements for Child Development Programs,” <http://www.smcoe.org/learning-and-leadership/preschool-to-grade-3/california-sate-preschool-programs-eligibility.html>.
- 3 CDE, Early Education and Support Division, “Enrolling and Reporting Children in California State Preschool Programs,” April 2014, <http://www.cde.ca.gov/sp/cd/ci/mb1402.asp>.
- 4 California Education Code, Section 8235–8239, <http://www.leginfo.ca.gov/cgi-bin/displaycode?section=edc&group=08001-09000&file=8235-8239>.
- 5 CDE, “Child Care and Development Programs.”
- 6 Interview with CDE representative, January 21, 2015.
- 7 TK California, “Transitional Kindergarten 101,” <http://www.tkcalifornia.org/about-tk/about-tk.html>.
- 8 CDE, “Transitional Kindergarten FAQs,” <http://www.cde.ca.gov/ci/gs/em/kinderfaq.asp>.
- 9 California Senate Bill 1381, http://www.leginfo.ca.gov/pub/09-10/bill/sen/sb_1351-1400/sb_1381_bill_20100930_chaptered.pdf; interview with CDE representative, January 21, 2015.
- 10 TK California, “Funding,” <http://www.tkcalifornia.org/tk-roadmap/funding/>.
- 11 National Alliance for Public Charter Schools (NAPCS), “Measuring Up: California,” <http://www.publiccharters.org/get-the-facts/law-database/states/CA/>.
- 12 California State Assembly Bill 2759, http://www.leginfo.ca.gov/pub/07-08/bill/asm/ab_2751-2800/ab_2759_bill_20080926_chaptered.pdf.
- 13 California Department of Education, “Public Schools Database,” <http://www.cde.ca.gov/ds/si/ds/pubschls.asp>. According to this list, three charter schools can offer pre-K, but none do. According to the websites of the schools, two do: La Verne Science and Tech Center in Pomona (<http://www.cde.ca.gov/re/sd/details.asp?cds=19649076021984&Public=Y>) and Vaughn Next Century Learning Center in San Fernando (<http://www.vaughncharter.com/index.php/primary-center-prek-1st-grades>). Achieve Academy in Oakland says it only offers K–5 (<http://efcps.org/achieve-academy/>).
- 14 Senate Bill 1381.
- 15 W. Steven Barnett et al., “The State of Preschool 2013: State Preschool Yearbook” (New Brunswick, NJ: National Institute for Early Education Research, 2013), <http://nieer.org/sites/nieer/files/yearbook2013.pdf>.
- 16 CDE, “Transitional Kindergarten FAQs.”
- 17 NAPCS, “Measuring Up: California.”
- 18 State population data calculated using ACS 2012 five-year estimates; U.S. Census Bureau, “American Community Survey,” www.census.gov/acs.
- 19 Interview with CDE representative, January 21, 2015.
- 20 Includes both part-day and full-day CSPP slots.
- 21 W. Steven Barnett et al., “The State of Preschool 2013.”
- 22 Based on 2015 estimates of the number of four-year-olds in the state; California Department of Finance, “Population Projections by Race/Ethnicity, Detailed Age, and Gender, 2010–2060,” <http://www.dof.ca.gov/research/demographic/reports/projections/P-3/>.
- 23 Interview with CDE representative, January 21, 2015.
- 24 California Department of Education, “Public Schools Database,” <http://www.cde.ca.gov/ds/si/ds/pubschls.asp>. According to this list, three charter schools can offer pre-K, but none do. According to the websites of the schools, two do: La Verne Science and Tech Center in Pomona (<http://www.cde.ca.gov/re/sd/details.asp?cds=19649076021984&Public=Y>) and Vaughn Next Century Learning Center in San Fernando (<http://www.vaughncharter.com/index.php/primary-center-prek-1st-grades>). Achieve Academy in Oakland says it only offers K–5 (<http://efcps.org/achieve-academy/>).
- 25 These numbers only represent the number of charter schools that offer TK or CSPP. Charter schools may offer other pre-K services through local initiatives.
- 26 Interview with CDE representative, January 21, 2015.
- 27 2014 Budget Act Part-Day CSPP Per Pupil; provided by CDE representative.
- 28 California Education Code, Section 42238–42251, <http://www.leginfo.ca.gov/cgi-bin/displaycode?section=edc&group=42001-43000&file=42238-42251>. Concentration and supplemental grants are also available.
- 29 Jay F. May et al., “Charter School Funding: Inequality Expands,” California section (Fayetteville, AR: University of Arkansas Department of Education Reform, School Choice Demonstration Project, April 2014), <http://www.uaedreform.org/wp-content/uploads/2014/charter-funding-inequity-expands-ca.pdf>.

Colorado

Background

Colorado Preschool Program

The Colorado Preschool Program (CPP) provides part-day¹ early childhood services for at-risk three- and four-year-olds. Risk factors include an income at or below 185 percent of the federal poverty level, qualifying for free or reduced-price lunch, domestic violence or drug abuse in a household, poor social skills, having parents who have not completed high school or were younger than nineteen years old at the time of the child's birth, or other factors decided at the local level.² Four-year-olds must have at least one risk factor to be eligible for CPP; three-year-olds must display at least three risk factors.³

The Colorado Department of Education (CDE) distributes CPP funds to local education agencies, including school districts and the Charter School Institute (CSI), through the state school funding formula, based on the number of slots allocated to each district. The Colorado Charter Schools Institute is Colorado's Statewide Independent Authorizing Board, governed by a nine-member board appointed by the governor and commissioner of education. It also serves as the Local Education Agency (LEA) for charter schools it authorizes. Districts may subcontract with charter schools, Head Start programs, and nonprofit and for-profit preschool and child care programs to serve children funded through CPP,⁴ but only districts and CSI may be the direct grantee from CDE. Each district that receives CPP funds must establish a District Advisory Council comprised of early childhood and community stakeholders to advise on the CPP program, including the allocation of slots between public schools and other providers. In districts where one or more charter schools exist, this advisory council must include a charter school representative.⁵

Charter schools in Colorado

Colorado allows for start-up and conversion charter schools.⁶ Local school boards and the CSI, an independent body established by state law, are eligible authorizers. School boards are generally limited to authorizing charters in or contiguous to their districts, and CSI can only authorize in places where local districts do not have "exclusive chartering authority," or where districts waive their authorizing authority⁷ (the majority of CSI-authorized schools).⁸ (Charter schools in Colorado are not their own LEAs but must be part of a district LEA, or the CSI operates as the LEA for the schools it authorizes.)



TOTAL SCORE

32/50

Colorado's climate for charter schools to offer pre-K is **somewhat hospitable**

- + There are no state statutory or regulatory barriers to charter schools accessing state funding for pre-K.
- Compared to K-12 funding levels, low pre-K program funding for some providers makes pre-K less attractive to charters.
- + The size of the pre-K program does not limit charter access to funding.
- The funding, application, or approval process creates a barrier to charter access.
- + Automatic enrollment from charter pre-K to kindergarten is not prohibited in legislation or practice.



Process for Accessing Pre-K Funds

CPP funding flows from the Colorado Department of Education to participating school districts and the Charter School Institute (CSI).⁹ Charter schools authorized by CSI must apply for CPP slots through the same process by which CSI approves charter schools' expansion to serve new grades.¹⁰ CPP funds that flow from CDE to CSI can only be used in schools authorized by CSI. Charter schools authorized by districts may access CPP slots at the discretion of the district and its preschool advisory council.

As a result, the number of CPP slots available to charter schools is limited. The Colorado legislature caps the number of funded CPP slots each year based on available funding, and districts and CSI can receive additional slots only when funding increases. When CSI was created in 2004, most existing CPP slots were already allocated to districts, so for most of its history CSI had very few CPP slots. In 2013, the legislature funded an expansion of CPP through Early Childhood At-Risk Enhancement (ECARE) slots. As a result, CSI received additional CPP slots. Under the parameters of ECARE, these slots can be used for pre-K or for full-day kindergarten. CSI charter schools elected to use 127 of these slots for preschool and 227 for full-day kindergarten.¹¹

Also in 2013, the CSI decided to reallocate its CPP slots. Charters that already had CPP slots could continue to receive

LOCAL INITIATIVES: DPP

Denver offers an additional pre-K initiative, the Denver Preschool Program (DPP). The program was created through a voter-approved ballot initiative in 2006, with support from by then-Mayor and current Governor John Hickenlooper. Funding for DPP comes from a 0.12 percent tax on purchases in the city. In late 2014, the Denver City Council approved a ballot measure to increase the sales tax to 0.15 percent to continue the program.

DPP allocates tuition credits to children using a sliding scale based on both a child's family income and the size, duration, and quality of the preschool program the child attends (as measured by QRIS). Charter schools can access funding through DPP, which requires that providers be licensed, have insurance, participate in Denver's early education quality improvement system, and enroll at least one four-year-old child who lives in the city and county of Denver. Three Denver charter schools presently offer DPP (out of more than 250 registered providers.

funding, but CSI reduced the allocation for some schools in order to allow additional charter schools to receive funding.

Since most charter schools do not receive CPP funding, the majority of charter schools that offer pre-K in Colorado do so by charging parents tuition. Some parents who receive state child care subsidies may also use these funds to cover costs of attendance at early childhood programs run by charter schools. Denver students may also use DPP slots to attend preschool at a participating charter school.

Barriers

Are there any statutory or regulatory barriers to charter schools accessing state funding for pre-K?

 **No.** Colorado's charter legislation does not explicitly permit or prevent charter schools from offering pre-K. Charter schools are authorized to offer any educational program that may be offered by a school district, provided they meet child care center licensing requirements administered by the Colorado Department of Human Services.¹² School districts and the Charter School Institute may allocate CPP slots to high quality preschool programs in charter schools.¹³

The Colorado Preschool Program Act does, however, give charter schools clear statutory authority to establish and operate pre-K and to receive CPP funds from districts.

At least thirty-eight charter schools in the state offer pre-K,¹⁴ but just ten of those schools receive CPP funds.¹⁵ In the 2013–2014 school year, 385 children with CPP funding were served in charter schools. This included two schools chartered through CSI and charter schools in seven school districts. Most charter schools that offer pre-K do so on a tuition basis.

Is the funding level of the state pre-K program a barrier to charter access?

 **Yes.** Low pre-K program funding, compared to K-12 funding levels, makes pre-K less attractive to charters. The per-pupil funding amount for CPP depends on the provider, but for some providers, CPP per-pupil funding is low, even for a part-day program. Those providers receive less than 40 percent of the amount that charter schools receive to serve K-12 students.

Is the size of the state pre-K program a barrier to charter access?

 **No.** The size of the program is not a barrier to charters accessing state pre-K funds. The program serves more



than 20 percent all four-year-olds in the state, but it does not serve all eligible pre-K students. The limited number of CPP slots available to CSI has been a barrier to charter access, however.

Is the application, approval, and/or funding process a barrier to charter access?

— Yes. Charter schools that are interested in offering pre-K must go through a school district or the Charter School Institute to get CPP funding. Charter schools authorized by districts (most charter schools in the state) must go through their district to access CPP funding. Relatively few charter schools have accessed CPP funds in this way. While districts can allocate slots to charter schools, most don't have enough slots to serve all eligible kids, so they tend to prioritize their own schools.

Is automatic enrollment from pre-K to kindergarten prohibited in legislation or practice?

+ No. Colorado law does not require charter schools to admit children to the school via lottery, although many individual charter contracts do require a lottery. In general, Colorado authorizers have allowed charters that operate preschool programs to enroll preschool students in kindergarten without a separate lottery, including schools that charge tuition for preschool.

Recommendations

The state charter law does not explicitly allow charter schools to offer pre-K, but this has not proven to be a barrier. Most charter schools that offer pre-K fund their programs by charging tuition. To address the approval and funding barriers, Colorado should:

- Award CSI an equitable number of CPP slots based on the number of kindergarteners with risk factors served by CSI-authorized schools.
- Require district advisory councils for CPP programs to consider charter preschool programs on an equitable basis with district schools and other community-based programs in deciding how to deliver CPP programs.
- Establish clear policies around when and whether students in tuition-based pre-K programs operated by a charter school can enroll in kindergarten without going through the school's lottery.

	Colorado Preschool Program (CPP)	Charter schools in Colorado
Year created	Launched in 1988	Charter law enacted in 1993
Children in Colorado	140,293 three- and four-year-olds ¹⁶	1,016,933 school-age children in Colorado ¹⁷
Children served	19,538 children served 7 percent of three-year-olds 21 percent of four-year-olds	99,328 students enrolled in charters 9.8 percent of school-age population 197 charters
Charter schools	Thirty-eight charter schools in Colorado offer pre-K. ¹⁸	135 charter schools in Colorado offer elementary programs. ¹⁹
Funding	CPP providers receive between \$3,278 and \$8,083 per pupil. ²⁰	Charter schools receive \$8,786 per pupil for K-12. ²¹



Endnotes

- 1 Colorado Department of Education (CDE), “Colorado Preschool Program: By the Numbers,” <http://www2.cde.state.co.us/media/cpp/CPPAtaGlance/player.html>; state law requires 360 hours per year, or about 10 hours per week.
- 2 W. Steven Barnett et al., “The State of Preschool 2013: State Preschool Yearbook” (New Brunswick, NJ: National Institute for Early Education Research, 2013), <http://nieer.org/sites/nieer/files/yearbook2013.pdf>.
- 3 CDE, “Child Eligibility,” <http://www.cde.state.co.us/cpp/cpphandbookonline/eligibility1>.
- 4 Colorado General Assembly Bill 4, Statutes § 22-28-104, <http://www.colorado.gov/cs/Satellite?blobcol=urldata&blobheader=application%2Fpdf&blobkey=id&blobtable=MungoBlobs&blobwhere=1252033958387&ssbinary=true>.
- 5 Interview with CDE Early Learning and School Readiness representative, November 7, 2014.
- 6 National Alliance for Public Charter Schools (NAPCS), “Measuring Up: Colorado,” <http://www.publiccharters.org/get-the-facts/law-database/states/CO/>.
- 7 Ibid. School boards in districts with fewer than 3,000 students are automatically granted “exclusive chartering authority.” Other school boards can apply to the state board of education to be their district’s exclusive authorizer. The state board can revoke exclusive authorizer status if the authorizer fails to meet certain standards.
- 8 Interview with Charter School Institute (CSI) representative, October 22, 2014.
- 9 W. Steven Barnett et al., “The State of Preschool 2013.”
- 10 Charter School Institute, “Colorado Preschool Program Preschool Advisory Council Meeting Minutes,” February 6, 2014, http://www.csi.state.co.us/school_resources/state_programs/PPP.
- 11 Interview with CSI representative, October 22, 2014.
- 12 Colorado Charter Schools Act, CRS 22-30.5-104(8); interview with CDE Early Learning and School Readiness representative, November 7, 2014.
- 13 Interview with CDE Early Learning and School Readiness representative, November 7, 2014.
- 14 Colorado Charter Schools list, <http://www2.cde.state.co.us/edulibdir/Colorado%20Charter%20Schools-en-us.pdf>.
- 15 Interview with CDE Early Learning and School Readiness representative, November 7, 2014.
- 16 State population data calculated using ACS 2012 five-year estimates; U.S. Census Bureau, “American Community Survey,” www.census.gov/acs.
- 17 Ibid., all children in households, three to seventeen years old.
- 18 CDE, “SY 2013–14 Charter School Enrollment by School and Grade Level (PK–12),” <http://www.cde.state.co.us/cdechart/charterschoolenrollmentbyschoolandgradelevel>.
- 19 Colorado Charter Schools list.
- 20 Interview with CDE Early Learning and School Readiness representative, November 7, 2014.
- 21 Jay F. May et al., “Charter School Funding: Inequality Expands,” Colorado section (Fayetteville, AR: University of Arkansas Department of Education Reform, School Choice Demonstration Project, April 2014), <http://www.uaedreform.org/wp-content/uploads/2014/charter-funding-inequality-expands-co.pdf>.

Connecticut

Background

School Readiness Program (SRP)

The Connecticut School Readiness Program (SRP) is open to all three- and four-year-olds who live in the state's nineteen lowest-performing school districts (Priority School Districts) and fifty lowest-wealth towns (Competitive Grant Municipalities).¹ At least 60 percent of students enrolled in the program must have a family income at or below 75 percent of the state median income.² Families must contribute a co-payment based on an income-based sliding scale. The Connecticut Office of Early Childhood administers SRP through two separate grant programs. Priority School Districts, defined in state law, automatically receive SRP funding on a formula basis. Competitive Grant Municipalities are eligible to apply for SRP funding. Both Priority School Districts and Competitive Grant Municipalities may serve preschoolers in either public school or community-based settings—or a mix of both.

Charter schools in Connecticut

Connecticut permits start-up and conversion charter schools. Local charters and state charters can only be authorized by, respectively, local school boards and the state school board.³ In practice, the state school board authorizes all but one charter school in the state. The New Haven Board of Education authorizes Connecticut's one local charter school.

Process for Accessing Pre-K Funds

If a charter applicant wishes to serve pre-K, it must include pre-K in its charter application. A charter school approved to offer pre-K can count pre-K students toward its enrollment for state funding purposes. This option, which is not available for district-run schools, allows charters that serve pre-K students to receive substantially more funding per preschool student than they would receive through SRP. Connecticut has determined charters cannot receive SRP funding.

Barriers

Although there are two state funding streams for pre-K in Connecticut, the discussion of barriers focuses on state per-pupil funding for charters because it is the only way through which charters can access funds.



TOTAL SCORE

40/50

Connecticut's climate for charter schools to offer pre-K is **hospitable***

- + There are no state statutory or regulatory barriers to charter schools accessing state funding for pre-K.
- + Compared to K–12 funding levels, pre-K program funding is sufficient to attract charters.
- + Because Connecticut charter schools receive pre-K funds through a different mechanism than the state pre-K program, the size of the program does not affect their ability to access pre-K funding.
- The funding, application, or approval process creates a barrier to charter access.
- + Automatic enrollment from charter pre-K to kindergarten is not prohibited in legislation or practice.

**Although Connecticut offers a state-funded pre-K program, Connecticut's score is based on a separate process that charters go through to receive state per-pupil funding for pre-K.*



Are there any statutory or regulatory barriers to charter schools accessing state funding for pre-K?

 **No.** Connecticut's charter school legislation does not explicitly permit or prohibit charter schools from offering pre-K. In practice, however, at least six charter schools in Connecticut offer pre-K. These schools receive per-pupil funds from the state, as charter schools do for serving K–12 students. Connecticut's SRP legislation does not list charter schools as eligible to receive SRP funds.⁴ The state interprets this silence to mean that charter schools cannot offer SRP. (This situation is advantageous for charter schools, which receive considerably more per-pupil funding through this arrangement than they would through SRP.)

Is the funding level of the state pre-K program a barrier to charter access?

 **No.** The amount of funding that charters receive is sufficient to attract charters to offer pre-K. Charters receive the same funding amount for pre-K and K–12 students.

Is the size of the state pre-K program a barrier to charter access?

 **No.** Because Connecticut charters do not receive SRP funds, the size of the SRP program does not affect charters' ability to access pre-K funding. Connecticut law, however, imposes multiple caps on charter school creation, although it does not further limit the number or percentage of approved charters that may access pre-K funds.

Is the application, approval, and/or funding process a barrier to charter access?

 **Yes.** The funding process is a barrier to charter access. Although charters are currently able to access pre-K funding from the state, this is somewhat tenuous because it is the result of tacit agreements with the state rather than formal policies explicit in legislation.

Is automatic enrollment from pre-K to kindergarten prohibited in legislation or practice?

 **No.** Charter schools that include pre-K in their charter can automatically enroll pre-K students into kindergarten.

Recommendations

Connecticut charter schools are currently able to access pre-K funding, but there is no clear statutory or policy basis for this. Connecticut's charter law suffers myriad weaknesses. Any future legislation to address these weaknesses should also:

- Establish clear policies or statute codifying the current practice of allowing charter schools that include pre-K in their charter to receive state per-pupil funding for pre-K students.



	School Readiness Program	Charter schools in Connecticut
Year created	Launched in 1997	Charter law enacted in 1996
Children in state	84,667 three- and four-year-olds in Connecticut ⁷	694,483 school-age children in Connecticut ⁸
Children served	9,487 children served 6 percent of 3-year-olds 13 percent of 4-year-olds ⁹	7,131 students served 1.0 percent of school-age population Eighteen charter schools ¹⁰
Charters offering pre-K	Six charter schools in Connecticut offer pre-K. ^{11,12}	Twelve charter schools in Connecticut offer an elementary program. ¹³
Funding	Districts receive \$8,346 to offer full-day SRP. Charter schools receive \$11,000 per pupil to serve pre-K students.	Charter schools receive \$11,000 per pupil to serve K–12 students. ¹⁴

Endnotes

1 Connecticut Office of Early Childhood, “School Readiness Grant Program,” May 16, 2014, http://www.sde.ct.gov/sde/lib/sde/pdf/rfp/rfp053_psd_community_fy15_16.pdf. Priority school districts are outlined in this legislation. Competitive communities are towns with at least one priority school and any town ranked in the bottom fifty towns in the state in town wealth.

2 Connecticut State Department of Education, “School Readiness,” <http://www.sde.ct.gov/sde/lib/sde/PDF/DEPS/Readiness/sroverview.pdf>.

3 National Alliance for Public Charter Schools (NAPCS), “Measuring Up: Connecticut,” <http://www.publiccharters.org/get-the-facts/law-database/states/CT/>.

4 Connecticut General Assembly, Amendment to Senate Bill 380, “An Act Concerning Early Childhood Education Credentialing for School Readiness Programs for 2015,” February 2010, <http://www.cga.ct.gov/2010/AMD/S/2010SB-00380-R00SA-AMD.htm>.

5 W. Steven Barnett et al., “The State of Preschool 2013: State Preschool Yearbook” (New Brunswick, NJ: National Institute for Early Education Research, 2013), <http://nieer.org/sites/nieer/files/yearbook2013.pdf>.

6 NAPCS, “Measuring Up: Connecticut.”

7 State population data calculated using ACS 2012 five-year estimates; U.S. Census Bureau, “American Community Survey,” www.census.gov/acs.

8 Ibid., all children in households, three to seventeen years old.

9 W. Steven Barnett et al., “The State of Preschool 2013.”

10 NAPCS, “Measuring Up: Connecticut.”

11 Northeast Charter Schools Network, “Connecticut Charter Schools,” http://www.necharters.org/ct_charter_schools.

12 Examples include: Brass City Charter School (<http://www.brasscitycharter.org/about-us>); Jumoke Academy (<http://jumokeacademy.org>); and Highville Charter School (<http://highvillecharter.com>).

13 Northeast Charter Schools Network, “Connecticut Charter Schools.”

14 Connecticut State Department of Education, “Biennial Report on the Operation of Charter Schools in Connecticut, 2014,” http://www.sde.ct.gov/sde/lib/sde/pdf/equity/charter/report_on_the_operation_of_charter_schools.pdf.

District of Columbia

Background

Public Pre-Kindergarten Program

The District of Columbia offers universal, full-day pre-kindergarten for three- and four-year-olds. The District's uniform per-student funding formula, used to allocate funding to the District of Columbia Public Schools (DCPS) as well as charter schools, allows both DCPS and charter schools to receive per-pupil funding for every three- and four-year-old student that they enroll.¹

The D.C. Office of the State Superintendent of Education (OSSE) administers the uniform per-student funding formula. DCPS's Office of Early Learning and Specialized Education oversees preschool programs operated in DCPS schools, and the D.C. Public Charter School Board oversees preschool programs operated by charter schools.² Community-based preschool programs not operated by DCPS or charter schools can also apply to receive pre-K funding through the D.C. Public Pre-Kindergarten program administered by OSSE.

To enroll in pre-K, a child must be a D.C. resident and three or four years old by September 30 of the program year. Charter schools that receive more applications for pre-K than the number of available seats admit children through a lottery, as they would for any other grade. DCPS schools award enrollment priority to children living within the school's attendance area, but these students do not have the same right to enroll in their neighborhood school for pre-K that they do for K-12.

Charter schools in D.C.

D.C. allows start-up and conversion charter schools. The D.C. Public Charter School Board has served as the sole authorizer since 2007.³

Process for Accessing Pre-K Funds

Existing charter schools interested in offering pre-K must apply through their authorizer, the D.C. Public Charter School Board, to add pre-K to their charter. New charter schools wishing to offer pre-K should include it in their charter applications. Once approved, charter schools can enroll pre-K students and include pre-K students in their enrollment count for the uniform per-student funding formula, up to the number of students allowed by the school's charter.



TOTAL SCORE

50/50

D.C.'s climate for charter schools to offer pre-K is **hospitable**

- + There are no state statutory or regulatory barriers to charter schools accessing state funding for pre-K.
- + Compared to K-12 funding levels, pre-K program funding is sufficient to attract charters.
- + The size of the pre-K program does not limit charter access to funding.
- + The funding, application, or approval processes are not barriers to charter access.
- + Automatic enrollment from charter pre-K to kindergarten is not prohibited in legislation or practice.



Barriers

Are there any statutory or regulatory barriers to charter schools accessing state funding for pre-K?

+ **No.** D.C. charter school and pre-K laws both explicitly allow charter schools to offer pre-K and access the funding to do so. Fifty-eight charter schools in the District offer pre-K, including five that only offer pre-K and one that offers pre-K and adult education.

Is the per-pupil funding of the state pre-K program a barrier to charter access?

+ **No.** Pre-K program funding is sufficient to attract charters. Under the uniform per-student funding formula, charter schools receive a per-student rate for preschool students that is 130 percent of what they receive for K-12 students, and receive an additional \$3,000 per student facilities allowance for both pre-K and K-12 students.⁴

Is the size of the state pre-K program a barrier to charter access?

+ **No.** The size of the pre-K program does not limit charter access to funding. Eighty-six percent of three- and four-year-olds in the District attend publicly funded pre-K.

Is the application, approval, and/or funding process a barrier to charter access?

+ **No.** The application, approval, and funding processes are not barriers to charters accessing funding for pre-K in D.C.

Is automatic enrollment from pre-K to kindergarten prohibited in legislation or practice?

+ **No.** Charter schools that offer both pre-K and kindergarten can automatically enroll their pre-K students into the school's kindergarten program.

Recommendations

No recommendations are offered since the District of Columbia's existing policies do not currently present any barriers to charter schools' ability to serve preschoolers or access District funding for pre-K.



	Public Pre-Kindergarten Program	Charter schools in Washington, D.C.
Year created	Launched in 2008 ⁵	Charter law enacted in 1996 ⁶
Children in the District	14,450 three- and four-year-olds in D.C. ⁷	82,706 school-age children in D.C. ⁸
Children served	12,426 children served 86 percent of three- and four-year-olds ⁹	36,823 students served 44.5 percent of school-age population 107 charter schools ¹⁰
Charters offering pre-K	Fifty-eight charter schools in D.C. offer pre-K. ¹¹	Fifty-three charter schools in D.C. offer elementary programs. ¹²
Funding	Providers receive \$12,719 to serve three-year-olds and \$12,340 to serve four-year-olds. ¹³	Charter schools receive \$20,086 to serve K–12 students. ¹⁴

Endnotes

1 Office of the State Superintendent of Education, “Early Learning Services for Parents: Pre-Kindergarten Services,” <http://osse.DC.gov/service/early-learning-services-parents-pre-Kindergarten-services>.

2 W. Steven Barnett et al., “The State of Preschool 2013: State Preschool Yearbook” (New Brunswick, NJ: National Institute for Early Education Research, 2013), <http://nieer.org/sites/nieer/files/yearbook2013.pdf>.

3 National Alliance for Public Charter Schools (NAPCS), “Measuring Up: District of Columbia,” <http://www.publiccharters.org/get-the-facts/law-database/states/DC/>.

4 Government of the District of Columbia, “Frequently Asked Questions: Proposed FY15 Uniform per Student Funding Formula,” <http://dme.dc.gov/sites/default/files/dc/sites/dme/publication/attachments/Frequently%20Asked%20Questions%20Proposed%20FY15%20UPSFF%20with%20appendices.pdf>.

5 Bernardine Watson, “A Case Study of the Pre-K for All D.C. Campaign: How Pre-K for All Became the Law of the Land in Washington, D.C.” (New York, NY and Battle Creek, MI: Foundation for Child Development and W. K. Kellogg Foundation, November 2010), <http://fcd-us.org/sites/default/files/Pre-K%20for%20All%20DC%20Case%20Study.pdf>.

6 NAPCS, “Measuring Up: District of Columbia.”

7 Interview with OSSE Early Learning representative, January 14, 2015.

8 State population data calculated using ACS 2012 five-year estimates; U.S. Census Bureau, “American Community Survey,” www.census.gov/acs. All children in households, three to seventeen years old.

9 Interview with OSSE Early Learning representative, January 14, 2015.

10 NAPCS, “Measuring Up: District of Columbia.”

11 District of Columbia Public Charter School Board, search page, <http://www.dcpsb.org/find-a-school>. The District allows preschool-only charter schools. One LEA, AppleTree, operates five campuses serving only preschool students. Another, Briya, operates one campus serving both pre-K and adult education students.

12 Ibid.

13 Interview with OSSE Early Learning representative, January 14, 2015.

14 Larry Maloney et al., “Charter School Funding: Inequality Expands,” Washington, D.C. section (Fayetteville, AR: University of Arkansas Department of Education Reform, School Choice Demonstration Project, April 2014), <http://www.uaedreform.org/wp-content/uploads/2014/charter-funding-inequity-expands-dc.pdf>.

Delaware

Background

Early Childhood Assistance Program (ECAP)

The Early Childhood Assistance Program (ECAP) offers half-day pre-K to four-year-olds who meet the income or other eligibility requirements for Head Start (see Appendix C).¹ Ten percent of enrollment slots are offered to children with disabilities.²

The Delaware Department of Education (DDE) administers ECAP as a competitive grant program.³ For-profit child care centers, Head Start agencies, public schools and private and faith-based centers are eligible to offer the program. Charter schools can only offer ECAP through an affiliated pre-K program.⁴

Charter schools in Delaware

Delaware permits start-up and conversion charter schools. Local school boards and the state board of education serve as charter authorizers in Delaware, but all charter schools must be approved by both the state secretary of education and the state board of education. Those seeking to convert a public school to a charter school must also go through the district's local school board.⁵

Process for Accessing Pre-K Funds

ECAP providers receive funding through the Delaware Department of Education. In general, the DDE issues an RFP only when there is an increase in ECAP funding to support the creation of new ECAP slots or when providers relinquish or lose their slots. Programs must complete an application that demonstrates they can meet the program's requirements, which are the same as the federal Head Start program standards.⁶ Once programs receive funds, they continue to do so unless they relinquish their slots or fail to meet performance standards.

There have been few ECAP competitions in recent years. In 2013, a provider relinquished its ECAP slots, opening funding for seventeen slots to new and existing providers.⁷



TOTAL SCORE

6/50

Delaware's climate for charter schools to offer pre-K is **not hospitable**

- There are state statutory or regulatory barriers to charter schools accessing state funding for pre-K.
- + Compared to K–12 funding levels, pre-K program funding is sufficient to attract charters.
- The size of the pre-K program limits charter access to funding.
- The funding, application, or approval process creates a barrier to charter access.
- Automatic enrollment from charter pre-K to kindergarten is prohibited in legislation or practice.



Barriers

Are there any statutory or regulatory barriers to charter schools accessing state funding for pre-K?

 **Yes.** Delaware’s charter school legislation defines a charter school as “a public school including 2 or more of grade kindergarten through 12 managed by a board of directors.”⁸ The state interprets this language to mean that a charter school cannot offer pre-K as part of its grade span in its charter agreement, even though the ECAP legislation says that public schools are eligible grantees. Charter schools interested in offering pre-K may only do so through an affiliated program.

Is the per-pupil funding of the state pre-K program a barrier to charter access?

 **No.** Pre-K program funding is sufficient to attract charters. Providers that offer half-day ECAP services receive almost 69 percent of the per-pupil funding amount that charters receive to serve full-day K–12 students.

Is the size of the state pre-K program a barrier to charter access?

 **Yes.** The small size of the pre-K program limits charter access. Delaware funds very few ECAP slots; the program currently serves just about 7 percent of four-year-olds in the state.

Is the application, approval, and/or funding process a barrier to charter access?

 **Yes.** The approval process is a barrier to charter access to state pre-K funding. The state has limited ECAP funding to existing providers for the past several years. The limited ECAP slots available are currently tied up by existing providers, effectively shutting out new providers, including charter schools.

Is automatic enrollment from pre-K to kindergarten prohibited in legislation or practice?

 **Yes.** Children that attend a pre-K program affiliated with a charter school are not granted enrollment priority in the state’s charter school legislation; they must enter the school’s enrollment lottery as any other student.

Recommendations

To address these barriers to charter access, the state should:

- Revise the Delaware charter law to allow charter schools to serve preschoolers.
- Release guidance clarifying that, as public schools, charter schools themselves, not just affiliated organizations, can apply for ECAP.
- Regularly re-compete ECAP slots. To provide reasonable stability for families and providers, the state should award ECAP grants for a set number of years, with staggered terms so that a certain percentage of grants expire every year. At the end of the grant period, new and existing providers should compete on an equitable basis, based on student need, program quality, and track record of improving student outcomes.



	Early Childhood Assistance Program	Charter schools in Delaware
Year created	Launched in 1994 ⁹	Charter law enacted in 1995 ¹⁰
Children in state	23,094 three- and four-year-olds in Delaware ¹¹	172,158 school-age children in Delaware ¹²
Children served	843 children served 0 percent of three-year-olds 7 percent of four-year-olds ¹³	10,370 students served 6 percent of school-age population Twenty-one charter schools ¹⁴
Charters offering pre-K	One charter school in Delaware offers pre-K through an affiliated organization. ¹⁵	Fifteen charter schools in Delaware offer elementary programs. ¹⁶
Funding	Providers receive \$7,100 per pupil to offer ECAP. ¹⁷	Charter schools receive \$10,327 per pupil to serve K–12 students. ¹⁸

Endnotes

1 Children from families with household incomes at or below 100 percent of federal Head Start income guidelines are automatically eligible to participate. Children from families with household incomes between 100 and 135 percent of the Head Start guidelines may make up to 35 percent of open slots, provided the slots are first offered to automatically eligible children.

2 Delaware Early Childhood Center, <http://www.doe.k12.de.us/Page/558>.

3 Overview of Outcomes p4, <http://www.doe.k12.de.us/cms/lib09/DE01922744/Centricity/Domain/146/ECAP06%2007%20State%20Report.pdf>.

4 An affiliated pre-K program is one that a charter school operates through a separate, but affiliated, entity or organization.

5 National Alliance for Public Charter Schools (NAPCS), “Measuring Up: Delaware,” <http://www.publiccharters.org/get-the-facts/law-database/states/DE/>.

6 Delaware essentially adopted the federal Head Start program requirements for pre-K programs rather than creating its own.

7 Delaware Department of Education, “Request for Proposals for Professional Services to Provide Early Childhood Assistance Program for 17 Four-Year-Old Children,” March 2011, http://bidcondocs.delaware.gov/DOE/DOE_1319ECAP17_RFP.pdf.

8 Delaware Code Online, 14 Del.C. § 503, “Charter Schools,” <http://delcode.delaware.gov/title14/c005/index.shtml>.

9 W. Steven Barnett et al., “The State of Preschool 2013: State Preschool Yearbook” (New Brunswick, NJ: National Institute for Early Education Research, 2013), <http://nieer.org/sites/nieer/files/yearbook2013.pdf>.

10 NAPCS, “Measuring Up: Delaware.”

11 State population data calculated using ACS 2012 five-year estimates; U.S. Census Bureau, “American Community Survey,” www.census.gov/acs.

12 Ibid., all children in households, three to seventeen years old.

13 W. Steven Barnett et al., “The State of Preschool 2013.”

14 NAPCS, “Measuring Up: Delaware.”

15 Eastside Charter School, www.eastsidecharterschool.org/.

16 Delaware Department of Education, <http://www.doe.k12.de.us/Page/976>.

17 Interview with Delaware Department of Education representative, January 14, 2015.

18 Larry Maloney et al., “Charter School Funding: Inequality Expands,” Delaware section (Fayetteville, AR: University of Arkansas Department of Education Reform, School Choice Demonstration Project, April 2014), <http://www.uaedreform.org/wp-content/uploads/2014/charter-funding-inequality-expands-de.pdf>.

Florida

Background

Florida Voluntary Prekindergarten (VPK)

VPK is a half-day¹ pre-K program open to all Florida four-year-olds. Public schools, licensed child care centers, accredited nonpublic schools, accredited faith-based centers, and licensed family child care homes are eligible VPK providers. Charter schools can also offer VPK. The majority of children enrolled in VPK attend programs in nonpublic settings, however, including community-based preschools, child care centers, and private schools.

The Office of Early Learning (OEL) in the Florida Department of Education administers VPK at the state level. Regional early learning coalitions (ELCs) manage the program locally.

Charter schools in Florida

Florida allows new and conversion charter schools. Local school boards are the primary authorizers. State universities and community colleges may authorize charter schools under limited circumstances.

Process for Accessing Pre-K Funds

The Office of Early Learning distributes VPK funding to regional early learning councils (ELCs). Public and private providers interested in offering VPK submit funding application materials to their ELC. Public providers are public school districts. Private providers include private schools, community-based providers, and child care centers. Charter schools can offer VPK as a public or a private provider.

If a charter school is authorized in its charter to offer pre-K, then it is a public provider and can only access VPK funding through its school district. The district school board determines which district schools, including charters, will provide VPK.

If the school's charter does not include pre-K, then it applies to the ELC as a private provider. Charter schools that are private providers must adhere to additional guidelines, such as meeting the child care facility licensing requirements.

When applying to offer VPK, all potential new providers must submit information on setting, licensure, accreditation, director and instructor credentials, and class calendars. Existing providers seeking funding renewal must resubmit these application materials annually.



TOTAL SCORE

33/50

Florida's climate for charter schools to offer pre-K is **somewhat hospitable**

- + There are no state statutory or regulatory barriers to charter schools accessing state funding for pre-K.
- Compared to K-12 funding levels, low pre-K program funding makes offering pre-K less attractive to charters.
- + The size of the pre-K program does not limit charter access to funding.
- The funding, application, or approval process creates a barrier to charter access.
- + Automatic enrollment from charter pre-K to kindergarten is not prohibited in legislation or practice.



Barriers

Are there any statutory or regulatory barriers to charter schools accessing state funding for pre-K?

 **No.** The VPK legislation does not explicitly list charter schools as eligible providers and charter law does not explicitly allow charter schools to offer pre-K. Provider application materials from the Office of Early Learning, however, list charter schools as eligible providers. Out of 331 elementary charter schools in Florida, more than one hundred offer pre-K.

Is the per-pupil funding of the state pre-K program a barrier to charter access?

 **Yes.** Low pre-K program funding makes pre-K less attractive to charters. VPK per-pupil funding is low, even for a half-day program. Charter schools offering VPK receive less than 33 percent of the per-pupil funding they receive to serve K-12 students.

Is the size of the state pre-K program a barrier to charter access?

 **No.** The size of the pre-K program does not limit charter access to state pre-K funding. VPK serves nearly 80 percent of the four-year-olds in the state.

Is the application, approval, and/or funding process a barrier to charter access?

 **Yes.** The approval and funding processes are barriers to charter access to state pre-K funding. Charter schools whose charter agreements include pre-K can only go through their school district to access VPK funds. This makes sense because most charter schools are authorized by local districts—making the district responsible for both authorizing the charter school to serve pre-K and allocating funds for it to do so. But while some districts are eager to work with charter schools to provide VPK, others are hesitant to take on the additional oversight responsibilities. Charter schools that are not permitted by their authorizing school district to add pre-K to their charter must meet state child care facility license requirements to offer VPK.

Is automatic enrollment from pre-K to kindergarten prohibited in legislation or practice?

 **No.** Florida state law allows charter schools to grant enrollment preference to students who complete a pre-kindergarten program “associated with the school.” This

includes programs that share common facilities or have established formal or informal partnerships.

The legislated enrollment preference does not, however, guarantee that charter schools can directly enroll their pre-K students into their kindergarten program. The school’s charter contract must explicitly allow the school to grant enrollment preference to pre-K students; otherwise, the state interprets the contract as prohibiting that preference. During the contracting process, the state intentionally prohibits any charter school that receives federal Charter School Program funding from giving pre-K students enrollment preference in its charter.

Recommendations

Florida charter schools have been relatively successful in accessing state pre-K funds, but several barriers, as described above, remain. To address them, Florida should:

- Increase the funding level for VPK to cover the costs of delivering a program that meets state requirements.
- Revise the VPK application process to allow charter schools to apply for VPK directly through their ELC.
- Increase funding to authorizers to build their capacity to oversee charter pre-K programs.



	Voluntary Prekindergarten (VPK)	Charter schools in Florida
Year created	Launched in 2005 ²	Charter law enacted in 1996 ³
Children in state	441,565 three- and four-year-olds in Florida ⁴	3,354,489 school-age children in Florida ⁵
Children served	175,145 children served 0 percent of three-year-olds 78 percent of four-year-olds ⁶	239,996 students served 7.2 percent of school-age population 625 charter schools ⁷
Charters offering pre-K	102 charter schools in Florida offer pre-K. ⁸	331 charter schools in Florida offer elementary programs. ⁹
Funding	Providers receive \$2,383 per pupil to offer VPK during the school year. ¹⁰	Charter schools receive \$8,407 per pupil to serve K–12 students. ¹¹

Endnotes

1 Program requires 540 program hours for school-year VPK and 300 program hours for summer VPK.

2 W. Steven Barnett et al., “The State of Preschool 2013: State Preschool Yearbook” (New Brunswick, NJ: National Institute for Early Education Research, 2013), <http://nieer.org/sites/nieer/files/yearbook2013.pdf>.

3 National Alliance for Public Charter Schools (NAPCS), “Measuring Up: Florida,” <http://www.publiccharters.org/get-the-facts/law-database/states/FL>.

4 State population data calculated using ACS 2012 five-year estimates; U.S. Census Bureau, “American Community Survey,” www.census.gov/acs.

5 Ibid., all children in households, three to seventeen years old.

6 W. Steven Barnett et al., “The State of Preschool 2013.”

7 NACPS, “Measuring Up: Florida.”

8 Florida Consortium of Public Charter Schools, search page, <http://floridacharterschools.org/schools/find/>.

9 Ibid.

10 Florida House of Representatives, Fact Sheet, “Florida Voluntary Prekindergarten (VPK) Education Program,” [http://www.myfloridahouse.gov/FileStores/Web/HouseContent/Approved/Web%20Site/education_fact_sheets/2011/documents/2010-11%20Voluntary%20Prekindergarten%20\(VPK\)%20Education%20Program.3.pdf](http://www.myfloridahouse.gov/FileStores/Web/HouseContent/Approved/Web%20Site/education_fact_sheets/2011/documents/2010-11%20Voluntary%20Prekindergarten%20(VPK)%20Education%20Program.3.pdf).

11 Meagan Batdorff et al., “Charter School Funding: Inequality Expands,” Florida section (Fayetteville, AR: University of Arkansas Department of Education Reform, School Choice Demonstration Project, April 2014), <http://www.uaedreform.org/wp-content/uploads/2014/charter-funding-inequity-expands-fl.pdf>.

Georgia

Background

Georgia Pre-K

Georgia Pre-K is a universal, full-day pre-K program open to all four-year-olds in the state.¹ In 1995, Georgia became the first state to guarantee pre-K for all four-year-olds in the state. The Department of Early Care and Learning (DECAL) administers Georgia Pre-K as a competitive grant program. Child care centers, local school systems, and other public institutions (e.g., universities, military bases) are eligible to apply.² Due to limitations in the state charter school law, charter schools can only offer pre-K through an affiliated pre-K program.³

Because this is a universal program, there are no eligibility requirements for children other than age. Due to declines in revenue, however, the program does not fund sufficient slots to cover all interested families. As a result, providers need to develop a policy for how they will enroll preschoolers if the program is full.

Charter schools in Georgia

Georgia allows start-up and conversion charter schools. The majority of charter schools in Georgia are authorized by a local education agency or the state education agency. The new State Charter Schools Commission (SCSC) is an alternative charter authorizing body.⁴

Process for Accessing Pre-K Funds

Charter schools and other providers interested in becoming Georgia Pre-K providers participate in the annual competitive grant application cycle. DECAL awards pre-K grant funding based on the quality of the application and the need in the service area, which DECAL evaluates by measuring the rate of saturation—i.e., how many pre-K slots there are compared with the number of eligible students—in the county where the program is located. New providers are only awarded funding after continuation classes (pre-K classes in good standing) are funded.⁵ A program is in good standing if it is fully enrolled and meets compliance requirements.

Existing providers annually apply for renewal and are often automatically awarded slots based on funding availability, identified regional need, and program compliance in the previous year. Any provider reporting fewer than nineteen students on the final roster of the previous year is not automatically awarded funding.⁶



TOTAL SCORE

11/50

Georgia's climate for charter schools to offer pre-K is **not hospitable**

- − There are state statutory or regulatory barriers to charter schools accessing state funding for pre-K.
- − Compared to K–12 funding levels, low pre-K program funding makes offering pre-K less attractive to charters.
- + The size of the pre-K program does not limit charter access to funding.
- − The funding, application, or approval process creates a barrier to charter access.
- + Automatic enrollment from charter pre-K to kindergarten is not prohibited in legislation or practice.



Barriers

Are there any statutory or regulatory barriers to charter schools accessing state funding for pre-K?

 **Yes.** Georgia’s charter law does not mention pre-K, and the pre-K law does not mention charter schools. DECAL, which administers the pre-K program, interprets the law to mean that charter schools can apply for state pre-K funding. The charter schools office at the Georgia Department of Education, however, interprets the law to mean that charters cannot be approved to offer pre-K. As a result, charters can offer affiliated programs but cannot serve preschoolers directly. At least nine charter schools in Georgia offer pre-K in this way.

Is the per-pupil funding level of the state pre-K program a barrier to charter access?

 **Yes.** Low pre-K program funding, compared to K–12 funding levels, makes pre-K less attractive to charters. Per-pupil funding for pre-K is low, even for a half-day program. Charter schools that offer half-day pre-K through an affiliated program receive between 29 percent and 43 percent of the per-pupil funding amount that charters receive to serve full-day K–12 students.

Is the size of the pre-K program a barrier to charter access?

 **No.** The size of the pre-K program does not limit charter access to funding. The program serves nearly 60 percent of four-year-olds in the state.

Is the application, approval, and/or funding process a barrier to charter access?

 **Yes.** The application and approval processes are barriers to charter access to state pre-K funding. Georgia does not fund enough pre-K slots to serve all eligible students. As a result, the state will only approve new pre-K providers if it identifies unmet need in a community rather than approving all providers that meet quality standards and allowing parent choice to determine enrollment.

Further, the existing funding process is biased against new providers. Existing providers receive priority over new providers and continue to receive funding as long as they meet compliance requirements.

Finally, Georgia charter schools must apply to DECAL for pre-K slots completely separate from their application to a charter authorizer for initial approval or grade expansion. In general,

charter authorizers play no role in monitoring the quality of pre-K classrooms operated by charter schools and are not consulted in DECAL’s decisions about whether or not to award pre-K slots to charter schools. Separating pre-K oversight and charter authorizing roles in Georgia has several negative consequences, including:

- Encouraging charter schools—and other providers in Georgia—to think about pre-K as a separate “program” from their K–12 offerings.
- Not requiring authorizers to hold charter schools accountable for the performance of their pre-K programs.
- Not taking authorizers’ judgments of schools’ K–12 academic, operational, or fiscal performance into account when making DECAL funding decisions.
- Requiring charter schools that wish to serve pre-K to apply through two separate processes—one to be approved as a charter, and one to offer pre-K—with different timelines and requirements and requiring them to submit reports to and receive monitoring from two different oversight agencies. This imposes an additional compliance burden on charter schools that serve preschoolers.

Is automatic enrollment from pre-K to kindergarten prohibited in legislation or practice?

 **No.** According to Georgia code, children who matriculate from a pre-K program at a charter school receive enrollment preference if they want to attend kindergarten at that charter school.⁷ This enrollment preference was only recently incorporated into the law, however, and few charter schools in the state take advantage of it.

Recommendations

To address the barriers to charter access to state pre-K funding, Georgia should explicitly allow, in either legislation or agency guidance, that charter schools are eligible to access state funding for pre-K. Georgia should also shift responsibility for overseeing charter pre-K programs from DECAL to authorizers. Charter schools that wish to serve preschoolers should obtain approval from their authorizer. DECAL should then award charter schools the number of slots approved by their authorizer, but reduce funding if the school fails to meet its authorized preschool enrollment.

If the state is concerned about the number of pre-K slots that authorizers might approve, it could impose an annual cap on the number proportionate to the percentage of all Georgia kindergarteners enrolled in schools approved by the authorizer in the prior academic year. Authorizers that lack capacity to



oversee pre-K programs could delegate or subcontract oversight of charter pre-K programs to DECAL.

If Georgia fails to shift oversight of charter pre-K programs from DECAL to authorizers, the following recommendations could improve DECAL’s process to make it more equitable to charter schools and other new providers:

- Extend the duration of Georgia Pre-K grants. DECAL could continue to monitor program quality over the duration of the grant without requiring programs to reapply annually. This would increase stability and reduce the burden of annual applications for charters and other providers.
- Re-compete existing slots at the end of the grant period, and allow both new and existing providers to compete on an equitable basis, based on student need, program quality, and track record of improving student outcomes. Open the competition to new providers whether or not total appropriations for the program increase.
- Give additional points in the Georgia Pre-K grant process to charter schools whose applications indicate their authorizer supports their applications.

	Georgia Pre-K	Charter schools in Georgia
Year created	Launched in 1995 ⁸	Charter law enacted in 1994 ⁹
Children in state	283,452 three- and four-year-olds in Georgia ¹⁰	2,077,067 school-age children in Georgia ¹¹
Children served	81,683 children served 0 percent of three-year-olds 58 percent of four-year-olds ¹²	69,392 students served 3.3 percent of school-age population 110 charter schools ¹³
Charters offering pre-K	Nine charter schools in Georgia offer pre-K. ¹⁴	Sixty-one charter schools in Georgia offer elementary programs. ¹⁵
Funding	Providers receive between \$2,481 and \$3,654 per pupil to offer Georgia Pre-K. ¹⁶	Charter schools receive \$8,472 per pupil to serve K–12 students. ¹⁷



Endnotes

- 1 Georgia Department of Early Care and Learning (DECAL), “About Georgia’s Pre-K Program,” <http://decals.ga.gov/Prek/ProgramsOffered.aspx>.
- 2 DECAL, “Becoming A Georgia’s Pre-K Program Provider,” <http://decals.ga.gov/BftS/StartingAGeorgiaPrekProgram.aspx?source=green>.
- 3 An affiliated pre-K program is one that a charter school operates through a separate, but affiliated, entity or organization.
- 4 National Alliance for Public Charter Schools (NAPCS), “Measuring Up: Georgia,” <http://www.publiccharters.org/get-the-facts/law-database/states/GA/>.
- 5 Georgia’s Pre-K Program 2014–2015 Application Package, June 2014, provided by DECAL.
- 6 DECAL, “2014–2015 School Year Pre-K Providers’ Operating Guidelines,” July 2014, <http://decals.ga.gov/documents/attachments/Guidelines.pdf>.
- 7 Georgia Code, O.C.G.A. § 20-2-2066, 2010, “Admission, Enrollment, and Withdrawal of Students,” <http://law.justia.com/codes/georgia/2010/title-20/chapter-2/article-31/20-2-2066>.
- 8 Georgia Pre-K was a targeted pilot in 1992 and became universal in 1995. See W. Steven Barnett et al., “The State of Preschool 2013: State Preschool Yearbook” (New Brunswick, NJ: National Institute for Early Education Research, 2013), <http://nieer.org/sites/nieer/files/yearbook2013.pdf>.
- 9 NAPCS, “Measuring Up: Georgia.”
- 10 State population data calculated using ACS 2012 five-year estimates; U.S. Census Bureau, “American Community Survey,” www.census.gov/acs.
- 11 Ibid., all children in households, three to seventeen years old.
- 12 W. Steven Barnett et al., “The State of Preschool 2013.”
- 13 NAPCS, “Measuring Up: Georgia.”
- 14 At least nine charters offer pre-K, including: Lake Oconee Academy (<http://www.lakeoconeeacademy.org>); Pataula Charter Academy (<http://www.pataula.net>); and Drew Charter School (<http://www.drewcharterschool.org/pd/crdcs1/preview/index.html>).
- 15 Center for Education Reform, search page, https://www.edreform.com/in-the-states/know-your-choices/find-a-charter-school/?filter%5Bname%5D=&filter%5Bcity%5D=&filter%5Bstate%5D=GA&filter%5Bgrade%5D=&filter%5Bgrades_categories%5D=&filter%5Bspecialty%5D=.
- 16 DECAL, “2014–2015 School Year Pre-K Providers’ Operating Guidelines,” <http://decals.ga.gov/documents/attachments/Guidelines.pdf>.
- 17 Meagan Batdorff et al., “Charter School Funding: Inequality Expands,” Georgia section (Fayetteville, AR: University of Arkansas Department of Education Reform, School Choice Demonstration Project, April 2014), <http://www.uaedreform.org/wp-content/uploads/2014/charter-funding-inequality-expands-ga.pdf>.

Illinois

Background

Preschool for All

Illinois provides half-day pre-K to three- and four-year-olds through its Preschool for All program. Funding limitations prevent the program from offering access to all eligible children, and programs serving 80 percent or more at-risk students receive priority for funding. Each student is screened for eligibility based on a combination of risk factors, such as disability or developmental delay, homelessness or unstable housing, or history of abuse.

Public school districts, university laboratory schools, area vocational centers, and public or private nonprofit or for-profit entities are eligible to apply for Preschool for All funding.¹ Charter schools can only offer pre-K through an affiliated program.² The Illinois State Board of Education (ISBE) administers Preschool for All for providers outside of Chicago. Chicago Public Schools manages the program in the city and reports enrollment and other key data to the state.

Charter schools in Illinois

Illinois permits start-up and conversion charter schools. Local school boards are the primary authorizers of charter schools. The Illinois State Charter School Commission may authorize a charter school under any of the following circumstances: 1) on appeal of a charter application that was denied, revoked, or not renewed by a local school board; 2) if the charter proposes to draw students from multiple local school districts; or 3) if a charter was approved by a referendum vote.³ State law limits the number of charters issued in the state to 120 at any one time (up to seventy-five in Chicago and forty-five anywhere else in the state). Schools that received charters before 2003, however, may open multiple campuses within Chicago under a single charter.

Process for Accessing Pre-K Funds

First-time potential providers outside of Chicago apply to offer Preschool for All through the ISBE. New provider applications are accepted if the state increases funding for new or expanding programs, or when the state re-competes existing funding. New and existing providers apply for Preschool for All funds through a Request for Proposals (RFP) process. Grants are awarded for five years. Renewal funding for continuing programs is contingent on sufficient funding and compliance with program requirements in the prior year.



TOTAL SCORE

7/50

Illinois's climate for charter schools to offer pre-K is **not hospitable**

- There are state statutory or regulatory barriers to charter schools accessing state funding for pre-K.
- Compared to K–12 funding levels, low pre-K program funding makes offering pre-K less attractive to charters.
- + The size of the pre-K program does not limit charter access to funding.
- The funding, application, or approval process creates a barrier to charter access.
- Automatic enrollment from charter pre-K to kindergarten is prohibited in legislation or practice.



No new funding has been dedicated to the Preschool for All program since FY09. The state superintendent last released an RFP for Preschool for All grants in 2012—though this RFP was not an expansion, but rather a reallocation of a smaller pool of funds after a cut in state funding. (Existing providers had to compete against new and other existing providers for less funding.) When reallocating funds, the state prioritized communities serving the most at-risk children. In FY17, the state will again re-compete all Preschool for All grants.⁴

New potential providers in Chicago apply for Preschool for All through Chicago Public Schools, rather than through the ISBE. Charter schools in Chicago apply for Preschool for All funding as a community provider rather than a public school, but they receive pre-K funding as a lump sum with their K–12 funding, as traditional public schools in Chicago do, rather than based on a per-child enrollment reimbursement, as community-based providers do (see below for more).

Barriers

Are there any statutory or regulatory barriers to charter schools accessing state funding for pre-K?

 **Yes.** Neither the charter school legislation nor the Preschool for All legislation explicitly permit charter schools to offer pre-K. As a result, different offices within ISBE have interpreted the law in different ways. The early childhood division has released a Request for Proposals that allows charter schools to apply for Preschool for All funds,⁵ while the legal division has determined that charter schools can only offer pre-K as an affiliated program.⁶

In practice, seventeen charter schools in the state offer pre-K. Most of these charter schools are located in Chicago, where Chicago Public Schools acts as both charter authorizer and Preschool for All grantee.

Is the funding level of the state pre-K program a barrier to charter access?

 **Yes.** Low pre-K program funding, compared to K–12 funding levels, makes pre-K less attractive to charters. The program is designed to fund two-and-a-half hours per day, but programs are encouraged to braid in other funding sources to reach a full day of programming. Charters offering half-day Preschool for All services receive between 26 percent and 35 percent of their overall per-pupil funding to serve K–12 students.

Is the size of the state pre-K program a barrier to charter access?

 **No.** The size of the pre-K program does not limit charter access to Preschool for All funding. The program serves about 27 percent of all four-year-olds in the state.

Is the application, approval, and/or funding process a barrier to charter access?

 **Yes.** The funding process is a barrier to charter access. There are limited opportunities for new providers to access funds. Historically, the state has allowed new providers to apply for funding only when the state spending on pre-K increases or when the state re-competes existing funding. Illinois only re-competes existing funding every five years. As a result, there has been only one opportunity since 2009 for new providers outside of Chicago—including charter schools—to apply for pre-K funding. The next opportunity will be in FY17.

Is automatic enrollment from pre-K to kindergarten prohibited in legislation or practice?

 **Yes.** Charter schools that offer pre-K cannot directly enroll their pre-K students into their kindergarten program. Two issues create barriers: First, based on the definition of “pupil” in state law, Illinois has determined that pre-K operated at a charter school is a separate program, not part of the charter school. Therefore, pre-K students are not considered students of the charter school’s general enrollment and may not automatically enroll in kindergarten. Second, because Illinois’s pre-K program screens children for eligibility based on income and other risk factors, lawyers for the Chicago Public Schools believe that this violates the state charter school law’s prohibition on eligibility requirements for admission to charter schools. As a result, charter schools that have more demand for kindergarten than slots available must require pre-K students to go through a lottery for admission to kindergarten. This creates a disincentive for charters to serve pre-K students.

Recommendations

To address these barriers to charter access, Illinois should:

- Amend the charter law to allow charter schools to serve pre-K students and consider them students of the school. If the state decides that charter schools should not receive funding for preschoolers through the school funding formula, then it can stipulate that pre-K students may be enrolled in a charter school but not counted as part of its enrollment for state funding purposes. This would remove existing statutory



barriers that allow charters to offer pre-K only as an affiliated program, and would allow pre-K students to automatically enroll in the charter school’s kindergarten program.

- Adjust the Preschool for All grant cycle to a staggered five-year cycle, so that 20 percent of preschool grants come up for competition every year.
- Revise the state’s charter school legislation or regulations to explicitly allow charter schools that serve preschoolers using Preschool for All funds and meeting priority risk criteria to directly enroll their pre-K students into their kindergarten program.
- Increase Preschool for All funding to cover the cost of delivering a high-quality program. Funding for Preschool for All is low, even for a half-day program.
- Increase funding equity for charter schools in grades K–12.

	Preschool for All	Charter schools in Illinois
Year created	Launched in 2006 ⁷	Charter law enacted in 1996 ⁸
Children in state	342,800 three- and four-year-olds in Illinois ⁹	2,616,770 school-age children in Illinois ¹⁰
Children served	75,623 children served 18 percent of three-year-olds 27 percent of four-year-olds ¹¹	63,175 students served 2.4 percent of school-age population 145 charter schools ¹²
Charters offering pre-K	Seventeen charter schools in Illinois offer pre-K. ¹³	Sixty-five charter schools in Illinois offer elementary programs. ¹⁴
Funding	Providers receive \$3,000–\$4,000 per pupil to offer Preschool for All. ¹⁵	Charter schools receive \$11,408 to serve K–12 students. ¹⁶



Endnotes

- 1 Illinois State Board of Education (ISBE), “Request for Proposal: Preschool for All Children Ages 3 to 5 Years, 2010,” February 2009, http://www.isbe.net/earlychi/preschool/preschool_rfp_10.pdf.
- 2 An affiliated pre-K program is one that a charter school operates through a separate, but affiliated, entity or organization.
- 3 ISBE, “2011–2012 and 2012–2013 Illinois Charter School Biennial Report,” January 2014, <http://www.isbe.net/charter/pdf/biennial-rpt-1112-1213.pdf>, 62.
- 4 Interview with ISBE representative, March 1, 2015.
- 5 ISBE, “Request for Proposals”; interview with ISBE representative, March 1, 2015.
- 6 Interview with ISBE representative, March 1, 2015.
- 7 W. Steven Barnett et al., “The State of Preschool 2013: State Preschool Yearbook” (New Brunswick, NJ: National Institute for Early Education Research, 2013), <http://nieer.org/sites/nieer/files/yearbook2013.pdf>.
- 8 National Alliance for Public Charter Schools (NAPCS), “Measuring Up: Illinois,” <http://www.publiccharters.org/get-the-facts/law-database/states/IL>.
- 9 State population data calculated using ACS 2012 five-year estimates; U.S. Census Bureau, “American Community Survey,” www.census.gov/acs.
- 10 Ibid., all children in households, three to seventeen years old.
- 11 W. Steven Barnett et al., “The State of Preschool 2013.”
- 12 NAPCS, “Measuring Up: Illinois.”
- 13 ISBE, “2011–2012 and 2012–2013 Illinois Charter School Biennial Report.”
- 14 Center for Education Reform, search page, https://www.edreform.com/in-the-states/know-your-choices/find-a-charter-school/?filter%5Bname%5D=&filter%5Bcity%5D=&filter%5Bstate%5D=IL&filter%5Bgrade%5D=0&filter%5Bgrades_categories%5D=&filter%5Bspecialty%5D=.
- 15 ISBE, “Request for Proposals.”
- 16 Jay F. May et al., “Charter School Funding: Inequality Expands,” Illinois section (Fayetteville, AR: University of Arkansas Department of Education Reform, School Choice Demonstration Project, April 2014), <http://www.uaedreform.org/wp-content/uploads/2014/charter-funding-inequity-expands-il.pdf>.

Indiana

Background

On My Way Pre-K Pilot Program

Indiana's On My Way Pre-K is a new part- and full-day pilot program for eligible four-year-olds. To qualify for enrollment, children must come from families with incomes at or below 127 percent of the federal poverty level and live in one of five participating counties (Allen, Jackson, Lake, Marion, and Vanderburgh counties), selected based on need and the county's ability and readiness to meet that need.¹

The Indiana Family and Social Services Administration (FSSA) administers On My Way as a scholarship program. If there are not sufficient scholarships to serve all interested children in each county, they are distributed via a county-level lottery.² The program is currently conducting its second round of lottery applications.³

A family that receives a scholarship can choose to use it at any approved On My Way provider (including public schools, private schools, licensed child care centers, licensed homes, and registered ministries).⁴ Because of limitations in the state charter law, which pre-dates the On My Way program, charter schools can only offer On My Way through an affiliated or partnership program, even though they are public schools.⁵

Charter schools in Indiana

Indiana allows start-up, conversion, and virtual charter schools. Local school boards, public or nonprofit four-year universities, the mayor of Indianapolis, and the state charter board may authorize charters in the state.⁶

Process for Accessing Pre-K Funds

Pre-K providers interested in becoming On My Way providers apply through the FSSA Office of Early Childhood and Out of School Learning. To be eligible, providers must achieve Level 3 or 4 in Paths to QUALITY, the state's Quality Rating and Improvement System (QRIS), and must be located within one of the five participating counties.⁷ Traditional public schools that are interested in becoming On My Way providers have the option to "fast track" their way into a Level 3 or 4 Paths to QUALITY rating, because they are already required to meet many of the minimum requirements for On My Way providers. Charter schools do not currently have a "fast track" option.



TOTAL SCORE

5/50

Indiana's climate for charter schools to offer pre-K is **not hospitable**

- − There are state statutory or regulatory barriers to charter schools accessing state funding for pre-K.
- + Compared to K–12 funding levels, pre-K program funding is sufficient to attract charters.
- − The size of the pre-K program limits charter access to funding.
- − The funding, application, or approval process creates a barrier to charter access.
- − Automatic enrollment from charter pre-K to kindergarten is prohibited in legislation or practice.



Once a provider becomes an approved On My Way provider, families may enroll their students in the school's pre-K program. Approved providers receive funding for each On My Way scholarship recipient they enroll, as long as the student attends the program for at least 85 percent of the program's operating days.⁸

To access On My Way funding, charter schools can either participate in the funding process with a separate, affiliated pre-K program or partner with an existing provider that meets the On My Way requirements. Some charter schools offer approved providers space in the charter school's building in exchange for providing pre-K services.

Charter schools may also serve preschoolers through other funding, such as philanthropic investments or by charging tuition.

Barriers

Are there any statutory or regulatory barriers to charter schools accessing state funding for pre-K?

 **Yes.** The On My Way pilot program authorizing legislation⁹ and program materials explicitly indicate that charter schools can apply to become On My Way providers. However, the charter school legislation does not explicitly address whether charter schools can offer pre-K. Indiana has interpreted this to mean that charter schools cannot offer pre-K as part of their charter agreement. As a result, charter schools

are only eligible to offer pre-K by partnering with a pre-K provider or by operating a separate affiliated program.

At this time, there are at least three charter schools that offer pre-K through partner or affiliated pre-K programs. The state does not track data on the total number of charter schools that serve preschoolers through partner or affiliated programs.

Is the funding level of the state pre-K program a barrier to charter access?

 **No.** Pre-K program funding is sufficient, compared to K-12 funding levels, to attract charters to offer pre-K. Providers that offer On My Way pre-K receive 78 percent of the per-pupil funding amount that charters receive to serve K-12 students.

Is the size of the state pre-K program a barrier to charter access?

 **Yes.** The small size of the current pilot pre-K program limits charter access. On My Way funds only about 400 scholarships.

Is the application, approval, and/or funding process a barrier to charter access?

 **Yes.** The approval process is a barrier to charter access. Only charter schools in certain communities can partner with On My Way pre-K providers or offer an affiliated program. Additionally, the "fast-track" option to become an On My Way provider is only open to traditional public schools, not charter schools, because authorizers do not monitor partner or affiliated pre-K programs.

Is automatic enrollment from pre-K to kindergarten prohibited in legislation or practice?

 **Yes.** While Indiana legislation allows charter schools to limit enrollment of new students to ensure that existing students can reenroll for subsequent years,¹⁰ it does not allow charter schools to serve pre-K students directly. Therefore, pre-K students served at a charter school's affiliated or partner pre-K program are not students of the school and cannot directly enroll into its kindergarten. If the school is oversubscribed, they must go through a lottery to enroll in kindergarten.

LOCAL INITIATIVES: INDIANAPOLIS

Indianapolis passed legislation in early 2015 that funded a pre-K program similar to On My Way, called the Indy Preschool Scholarship Program (Indy PSP). Indy PSP is available to three- and four-year-olds from families living at or below 185 percent of the Federal Poverty Line (FPL). First priority is given to children from families living at or below 127 percent FPL. If there are more eligible and interested families than scholarships available, scholarships are to be awarded by lottery. Families of eligible three- and four-year-olds in Marion County who apply will be automatically considered for both Indy PSP and On My Way. Indy PSP will provide six hundred scholarships that can be used at any approved On My Way provider.

Source: Indiana Office of Education Innovation, "Early Childhood Education: Preschool Scholarship Programs," <http://oei.indy.gov/early-childhood-education-3/>.



Recommendations

To address these barriers to charter access, the state should:

- Revise the charter school legislation to explicitly allow charter schools to serve pre-K students.
- Allow charter schools to participate in the “fast track” to become an On My Way provider, as long as their authorizers approve and monitor the performance of their pre-K programs.
- Revise the charter school legislation to allow charter schools to grant enrollment preference to federal-, state-, or locally funded pre-K students from an affiliated or partner program, as long as students were admitted via lottery and the kindergarten program has more open spaces than interested pre-K students.

	On My Way Pre-K Pilot	Charter schools in Indiana
Year created	Launched in 2014 ¹¹	Charter law enacted in 2001 ¹²
Children in state	177,787 three- and four-year-olds in Indiana ¹³	1,344,270 school-age children in Indiana ¹⁴
Children served	Program is not yet fully operational. 400 slots are offered during the pilot. ¹⁵	35,552 students served 2.6 percent of school-age population Seventy-five charter schools ¹⁶
Charters offering pre-K	At least three charter schools in Indiana offer pre-K through partnership or affiliated programs. ¹⁷	Fifty charter schools offer an elementary program. ¹⁸
Funding	Providers receive up to \$6,800 per pupil to offer On My Way Pre-K. ¹⁹	Charter schools receive \$8,671 per pupil to serve K–12 students. ²⁰



Endnotes

- 1 http://www.in.gov/fssa/files/OMWPK_family_applications_available_030515.pdf
- 2 Indiana.gov, “On My Way Pre-K Family Page,” <http://www.in.gov/fssa/4944.htm>.
- 3 http://www.in.gov/fssa/files/OMWPK_family_applications_available_030515.pdf
- 4 Indiana.gov, “Provider Information,” <http://www.in.gov/fssa/4931.htm>.
- 5 An affiliated pre-K program is one that a charter school operates through a separate, but affiliated, entity or organization.
- 6 National Alliance for Public Charter Schools (NAPCS), “Measuring Up: Indiana,” <http://www.publiccharters.org/get-the-facts/law-database/states/IN/>.
- 7 Indiana.gov, “Provider Information.”
- 8 Indiana.gov, “On My Way Pre-K Providers Technical Assistance Webinar,” January 2015, http://www.in.gov/fssa/files/approved_provider_next_steps_webinar_2.pdf.
- 9 Indiana General Assembly, House Enrolled Act 1004, 2014, <https://iga.in.gov/static-documents/1/c/f/5/1cf5ff33/HB1004.07.ENRH.pdf>.
- 10 Indiana General Assembly, 2015 Session, “Indiana Code,” <http://www.in.gov/legislative/ic/2010/title20/ar24/ch5.pdf>
- 11 Indiana General Assembly, House Enrolled Act 1004.
- 12 NAPCS, “Measuring Up: Indiana.”
- 13 State population data calculated using ACS 2012 five-year estimates; U.S. Census Bureau, “American Community Survey,” www.census.gov/acs.
- 14 Ibid., all children in households, three to seventeen years old.
- 15 On My Way Pre-K was operated as a pilot program in four counties in January 2015.
- 16 NAPCS, “Measuring Up: Indiana.”
- 17 Indiana Department of Education, “Indiana Charter School Map,” <http://www.doe.in.gov/grantsmgmt/charter-schools/indiana-charter-school-map>.
- 18 Ibid.
- 19 Indiana.gov, “On My Way Pre-K Providers Technical Assistance Webinar.”
- 20 Larry Maloney et al., “Charter School Funding: Inequality Expands,” Indiana section (Fayetteville, AR: University of Arkansas Department of Education Reform, School Choice Demonstration Project, April 2014), <http://www.uaedreform.org/wp-content/uploads/2014/charter-funding-inequity-expands-in.pdf>.

Iowa

Background

Iowa offers two state-funded pre-K programs: the Statewide Voluntary Preschool Program (SWVPP) and the much smaller Shared Visions Program (SVP).

Statewide Voluntary Preschool Program (SWVPP)

SWVPP is a part-day program for all four-year-olds.¹ Children must be four years old by September 15 to enroll (children younger than four may participate in SWVPP, but the state does not provide funding for those slots). If a school district does not have space available to serve all eligible students, the district creates its own enrollment priorities.²

The Iowa Department of Education administers SWVPP through a funding formula called the Preschool State Foundation Aid. Only public school districts can receive SWVPP funding, but districts may subcontract with nonpublic preschools or child care centers to offer services. Charter schools in participating school districts are eligible to serve students through SWVPP.

Shared Visions Program (SVP)

SVP is a part-day program for at-risk three- to five-year-olds.³ Students from families earning less than 130 percent of the federal poverty level must comprise at least 80 percent of an SVP classroom. Children who do not meet the income requirements but who have one or more risk factors can be served in the remaining 20 percent of SVP slots. Providers may also enroll children who do not meet the income eligibility or risk guidelines as long as those families pay for services based on a locally determined sliding fee schedule.⁴

The Iowa Department of Education (IDE) administers SVP as a competitive grant program. Any public school, nonprofit licensed child care center, Head Start agency, community action agency, or other public, nonprofit agency may compete for funding. As such, charter schools are eligible to compete for SVP funding.

Charter schools in Iowa

Iowa allows start-up and conversion charter schools. Charter applicants must first seek approval from the local school board and then from the state board of education. Applicants denied by a local school board may appeal to the state board.⁵



TOTAL SCORE

45/50

Iowa's climate for charter schools to offer pre-K is **hospitable***

- + There are no state statutory or regulatory barriers to charter schools accessing state funding for pre-K.
- + Compared to K-12 funding levels, pre-K program funding is sufficient to attract charters.
- + The size of the pre-K program does not limit charter access to funding.
- The funding, application, or approval process creates a barrier to charter access.
- + Automatic enrollment from charter pre-K to kindergarten is not prohibited in legislation or practice.

**Iowa's score is based on its Statewide Voluntary Preschool Program (SWVPP), rather than the Shared Visions Program (SVP), because the former is the larger program in the state.*



Process for Accessing Pre-K Funds

Currently, SWVPP districts are funded through a funding formula based on the preschool count (in the program's first four years, school districts applied for funding through a competitive grant process). Nonparticipating districts interested in offering SWVPP have had the opportunity to apply every year for the past four years.⁶ Districts that receive SWVPP funding can contract out pre-K services to qualified community partners.⁷ Charter schools in participating districts are eligible to receive SWVPP funding directly through the school funding formula.

Providers interested in offering SVP, including charter schools, must compete in the annual grant application process. Grants are awarded for one year with a renewal option for up to five years. Existing providers apply for renewal grants as part of the annual application cycle. All providers must be accredited by the National Association for the Education of Young Children (NAEYC) by the end of the second year of their grant, or they will not be funded.⁸

Barriers

There are two state funding streams for pre-K in Iowa; the barriers focus on both SWVPP and SVP because charters can access funding through both programs.

Are there any statutory or regulatory barriers to charter schools accessing state funding for pre-K?

+ **No.** The state charter law, SVP legislation, and SWVPP legislation do not explicitly allow or prohibit charter schools from offering pre-K. Iowa's sole charter elementary school, Prescott Elementary School, offers pre-K.⁹ Prescott receives funding from both SVP and SWVPP.

Is the funding level of the state pre-K program a barrier to charter access?

+ **SWVPP: No.** The funding level is not a barrier to charters offering pre-K in Iowa. Charter schools that offer half-day SWVPP services receive half of the per-pupil funding amount that charters receive to serve full-day K-12 students.

- **SVP: Yes.** Low pre-K program funding, compared to K-12 funding levels, makes pre-K less attractive to charters. Providers receive a flat grant amount for offering SVP that varies

widely, based on the number of participants served and the types of comprehensive services that the grantee will provide.

Is the size of the state pre-K program a barrier to charter access?

+ **SWVPP: No.** The size of the pre-K program is not a barrier to charters accessing SWVPP funding. The program serves more than half of all four-year-olds in the state.

- **SVP: Yes.** The small size of the pre-K program limits charter access to SVP funding. The program serves only 3 percent of all four-year-olds in the state.

Is the application, approval, and/or funding process a barrier to charter access?

- **SWVPP: Yes.** Only charter schools in participating districts can receive SWVPP funding.

+ **SVP: No.** Charters interested in offering SVP apply, are approved, and receive funding under the same process as other providers.

Is automatic enrollment from pre-K to kindergarten prohibited in legislation or practice?

+ **No.** Charter schools that offer pre-K can automatically enroll pre-K students into their kindergarten program.¹⁰

Are there other barriers to charter schools accessing state funding for pre-K?

- **Yes.** Iowa has the nation's third-weakest charter school law. The state offers only one authorizing option—local school districts—and charter schools have limited operational, fiscal, and legal autonomy. As a result, there are relatively few charter schools in Iowa, which limits the degree to which charter schools are able to serve as pre-K providers in Iowa.

Recommendations

To address the barriers to charter access, the state should:

- Strengthen its charter law to open the state to additional charter schools.
- Explicitly allow charter schools to offer pre-K in the state charter school law.
- Explicitly allow charter schools located outside of SWVPP districts to apply for SWVPP funding.



	Statewide Voluntary Preschool Program (SWVPP)	Shared Visions Program (SVP)	Charter schools in Iowa
Year created	Launched in 2007 ¹¹	Launched in 1989	Charter law enacted in 1996 ¹²
Children in state	81,073 three- and four-year-olds in Iowa ¹³		604,442 school-age children in Iowa ¹⁴
Children served	24,926 children served 2 percent of three-year-olds 57 percent of four-year-olds ¹⁵	1,726 children served 2 percent of three-year-olds 3 percent of four-year-olds	315 students served .05 percent of school-age population Three charter schools ¹⁶
Charters offering pre-K	One charter school in Iowa offers pre-K. ¹⁷		One charter school offers an elementary program. ¹⁸
Funding	Districts receive \$3,183 per pupil to offer SWVPP.	Providers receive a flat grant to offer SVP. Grants range from \$43,436 to \$171,845. ¹⁹	Charter schools receive \$6,366 per pupil to serve K–12 students.

Endnotes

1 Providers are required to offer at least ten program hours per week.

2 Iowa Department of Education (IDE), “Statewide Voluntary Preschool Program for Four-Year-Olds: Frequently Asked Questions,” 2014–2015, https://www.educateiowa.gov/sites/files/ed/documents/FAQ%20for%20implementation%202014-2015%20_0.pdf.

3 Like SWVPP, providers are also required to offer at least ten program hours per week.

4 IDE, “FY16 Shared Visions Preschool Application: Frequently Asked Questions,” <https://www.educateiowa.gov/sites/files/ed/documents/FAQ%20for%20Implementation%20-%20Shared%20Visions%20Preschool.pdf>.

5 National Alliance for Public Charter Schools (NAPCS), “Measuring Up: Iowa,” <http://www.publiccharters.org/get-the-facts/law-database/states/IA/>.

6 IDE, “Statewide Voluntary Preschool Program for Four-Year-Olds: 2013–2014 Preliminary Report,” <https://www.educateiowa.gov/sites/files/ed/documents/2013-2014SWVPPPrePreliminaryReport.pdf>.

7 Ibid.

8 IDE, “FY16 Shared Visions Preschool Application: Frequently Asked Questions.”

9 Prescott Elementary School website, <http://www.prescott.dbqschools.org/school/charterschool.html>.

10 Interview with IDE Education Consultant, December 3, 2014.

11 W. Steven Barnett et al., “The State of Preschool 2013: State Preschool Yearbook” (New Brunswick, NJ: National Institute for Early Education Research, 2013), <http://nieer.org/sites/nieer/files/yearbook2013.pdf>.

12 NAPCS, “Measuring Up: Iowa.”

13 State population data calculated using ACS 2012 five-year estimates; U.S. Census Bureau, “American Community Survey,” www.census.gov/acs.

14 Ibid., all children in households, three to seventeen years old.

15 W. Steven Barnett et al., “The State of Preschool 2013.”

16 NAPCS, “Measuring Up: Iowa.”

17 IDE, charter schools search page, <https://www.educateiowa.gov/pk-12/options-educational-choice/charter-schools>; IDE lists Prescott Elementary School as serving grades K–5, but the school’s website confirms that it offers pre-K.

18 Ibid.

19 Interview with IDE Education Consultant, December 3, 2014.

Kansas

Background

Kansas funds two pre-K programs: the State Pre-Kindergarten Program (SPP) and the Kansas Preschool Program (KPP).

State Pre-Kindergarten Program (SPP)

SPP, previously known as Four-Year-Old At-Risk, is a half-day pre-K program for at-risk four-year-olds who meet one or more of eight risk criteria for eligibility (including poverty, migrant status, and limited English proficiency, among others).¹

The Kansas Department of Education (KSDE) administers SPP through the school funding formula. Only public school districts are eligible to receive SPP funding, but they can subcontract pre-K services to public or private agencies.²

Kansas Preschool Program (KPP)

KPP is a half-day program for four-year-olds. At least 50 percent of students enrolled in KPP must meet high-risk criteria, similar to SPP's criteria.³ The Kansas Department of Education administers KPP as a competitive grant program. Consortia of pre-K providers, including home-based, center-based, and school-based pre-K environments (including charter schools), are eligible to compete for KPP funding. Providers may not apply individually; they must submit a joint application with other providers. KPP slots are funded through tobacco settlement dollars.⁴

Charter schools in Kansas

The state permits start-up and conversion charter schools. There is a single authorizing option for charter school applicants in Kansas; charter applicants must first be approved by the local school board and then by the state board of education.⁵

Process for Accessing Pre-K Funds

Districts interested in providing SPP must develop and submit an application to the Kansas Department of Education. If approved, the district receives SPP funding through the school funding formula based on the number of eligible students served. SPP students are funded at half of the per-pupil allocation for full-time students. Districts funded in the previous year are guaranteed continued funding, pending approval by the state board of education.⁶ In FY15,



TOTAL SCORE

35/50

Kansas's climate for charter schools to offer pre-K is **somewhat hospitable***

- + There are no state statutory or regulatory barriers to charter schools accessing state funding for pre-K.
- + Compared to K-12 funding levels, pre-K program funding is sufficient to attract charters.
- + The size of the pre-K program does not limit charter access to funding.
- The funding, application, or approval process creates a barrier to charter access.
- + Automatic enrollment from charter pre-K to kindergarten is not prohibited in legislation or practice.

**Kansas's score is based on the State Pre-Kindergarten Program (SPP), rather than the Kansas Preschool Program (KPP), because the former is the larger program.*



only districts that were already offering SPP could apply for continuation grants.⁷ Charter schools within participating districts are eligible to receive SPP funding directly through the school funding formula.

Charter schools interested in offering KPP must team up with other pre-K providers to submit a joint grant application for KPP funding. No new funding has been allocated to the program in several years, so there have been no opportunities for new providers to access KPP funding.

The KSDE evaluates KPP grant applications and submits funding recommendations to the state board of education for approval.⁸ Current providers maintain KPP status by applying for a continuation grant. These providers currently receive continuation funds for three years as long as they meet the requirements of the grant and demonstrate alignment with KPP standards.⁹

Barriers

Although there are two state-funded pre-K programs in Kansas, the barriers focus on SPP because it is the larger program.

Are there any statutory or regulatory barriers to charter schools accessing state funding for pre-K?

+ **No.** The state charter law, KPP legislation, and SPP legislation do not explicitly allow or prohibit charter schools to offer pre-K. The Kansas Department of Education determined that, because charter schools are part of a public school district, they are eligible to receive SPP funding through the school funding formula. Charter schools are also eligible to join a consortium of providers competing for KPP funding.¹⁰ As of March 2015, no charter schools in Kansas offer pre-K.¹¹

Is the funding level of the state pre-K program a barrier to charter access?

+ **No.** SPP funding is sufficient, compared to K–12 funding levels, to attract charters to offer pre-K. Charter schools that offer half-day SPP services receive 53 percent of the per-pupil funding amount that charters receive to serve full-day K–12 students.

Is the size of the state pre-K program a barrier to charter access?

+ **No.** The size of SPP is not a barrier to charters accessing state pre-K funds. The program serves 17 percent of all four-year-olds in the state.

Is the application, approval, and/or funding process a barrier to charter access?

– **Yes.** The SPP funding process creates barriers to charter access. Charter schools within participating districts are eligible to receive SPP funding directly through the school funding formula, but must be located in an SPP-participating district and approved by their authorizing district to offer pre-K. Currently, 63 percent of districts participate in SPP.¹²

Further, there has been no new funding for SPP for several years, and the current funding has remained with existing schools. As a result, even if a charter school were to open in a participating district, the school would not be able to access SPP funding until new funding is allocated to the program.

Is automatic enrollment from pre-K to kindergarten prohibited in legislation or practice?

+ **No.** Kansas legislation does not explicitly allow or prohibit automatic enrollment from pre-K into kindergarten. The legislation states that a school's charter must outline the school's admission process, including a description of the lottery method used if the school is oversubscribed.¹³ The lottery process may include priority consideration for certain student populations, if approved by the authorizer. Charter schools may include priority preferences for students enrolled in their pre-K program if their authorizer approves it.

Are there any other barriers to charters offering pre-K?

– **Yes.** Kansas has the nation's second-weakest charter school law. The state offers only one authorizing option—local school districts—and charter schools have limited operational, fiscal, and legal autonomy. As a result, there are relatively few charter schools in Kansas, which limits the degree to which charter schools are able to serve as pre-K providers in Kansas.

Recommendations

To address these barriers to charter access, the state should:

- Strengthen its charter law to open the state to additional charter schools.
- Explicitly allow charter schools to offer pre-K in the state charter school law.
- Require authorizing school boards to consider charter petitions that include pre-K.



	State Pre-Kindergarten Program (SPP)	Kansas Preschool Program (KPP)	Charter schools in Kansas
Year created	Launched in 1998 ¹⁴	Launched in 2006 ¹⁵	Charter law enacted in 1994 ¹⁶
Children in state	81,531 three- and four-year-olds in Kansas ¹⁷		598,598 school-age children in Kansas ¹⁸
Children served	7,094 children served 0 percent of three-year-olds 17 percent of four-year-olds ¹⁹	1,539 children served ²⁰ 0 percent of three-year-olds 4 percent of four-year-olds ²¹	2,466 students served <1 percent of school-age population Eleven charter schools ²²
Charters offering pre-K	No charter schools in Kansas offer pre-K. ²³		Five charter schools in Kansas offer elementary programs. ²⁴
Funding	Districts receive \$1,900 per pupil to offer SPP. ²⁵	Kansas awards KPP funds to providers as a flat grant amount. Providers may receive grants of between \$2,662 and \$8,614 per pupil to offer KPP. ²⁶	Charter schools receive about \$3,582 per pupil to serve K–12 students. ²⁷

Endnotes

- 1 Kansas State Department of Education (KSDE), “State Pre-Kindergarten Program (Four Year Old At-Risk) Program Standards and Requirements, 2015–2016,” <http://www.ksde.org/Portals/0/Early%20Childhood/State%20PreKindergarten/StatePreK-Standards.pdf>.
- 2 Education Justice, “Kansas,” <http://www.educationjustice.org/states/kansas.html>.
- 3 Ibid.
- 4 In 1996, Kansas accepted the Master Settlement Agreement: a settlement between forty-six states and four major tobacco companies. Since 1999, the tobacco companies have made annual payments to these states to compensate for smoking-related health care costs and are supposed to do so in perpetuity. Kansas uses part of its Master Settlement dollars to fund KPP.
- 5 National Alliance for Public Charter Schools (NAPCS), “Measuring Up: Kansas,” <http://www.publiccharters.org/get-the-facts/law-database/states/KS/>.
- 6 KSDE, “State Pre-Kindergarten Program Standards.”
- 7 KSDE, “State Pre-Kindergarten Program (Four Year Old At-Risk) Continuation Grant Application, 2015–2016,” <http://www.ksde.org/Portals/0/Early%20Childhood/State%20PreKindergarten/StatePreK-Application.doc>.
- 8 KSDE, “Kansas Preschool Program Grant Application, 2015–2016,” <http://www.ksde.org/Portals/0/Early%20Childhood/Kansas%20Preschool%20Program/KPPApplication.pdf>.
- 9 KSDE, “Kansas Preschool Program Continuation Application for 2014–2015: Basic Information,” <http://www.ksde.org/Portals/0/Early%20Childhood/Kansas%20Preschool%20Program/KPPEmail.pdf>.
- 10 Interview with KDE representative, December 3, 2014.
- 11 KSDE, “Kansas Charter Schools, 13–14,” September 25, 2013, <http://www.ksde.org/Portals/0/TLA/Graduation%20and%20School%20Choice/Charter/Charter%20Schools%2013-14.pdf>.
- 12 W. Steven Barnett et al., “The State of Preschool 2013: State Preschool Yearbook” (New Brunswick, NJ: National Institute for Early Education Research, 2013), <http://nieer.org/sites/nieer/files/yearbook2013.pdf>.
- 13 Kansas State Legislature, House Bill 2320, K.S.A. 72-1906 c(8), February 2013, http://kslegislature.org/li/b2015_16/statute/072_000_0000_chapter/072_019_0000_article/072_019_0006_section/072_019_0006_k/.
- 14 W. Steven Barnett et al., “The State of Preschool 2013.”
- 15 Ibid.
- 16 NAPCS, “Measuring Up: Kansas.”
- 17 State population data calculated using ACS 2012 five-year estimates; U.S. Census Bureau, “American Community Survey,” www.census.gov/acs.
- 18 Ibid., all children in households, three to seventeen years old.
- 19 W. Steven Barnett et al., “The State of Preschool 2013.”
- 20 Kansas Children’s Cabinet and Trust Fund, “Children’s Initiatives Fund: Briefing Binder” (Lawrence, KS: University of Kansas Center for Public Partnerships and Research, Achievement and Assessment Institute, November 14, 2014), http://kschildrenscabinet.org/wp-content/uploads/2014/06/Briefing_Binder_11-20-14_FINAL.compressed.pdf.
- 21 W. Steven Barnett et al., “The State of Preschool 2013.”
- 22 NAPCS, “Measuring Up: Kansas.”
- 23 KSDE, “Kansas Charter Schools, 13–14.”
- 24 Ibid.
- 25 Interview with KDE representative, December 3, 2014.
- 26 Ibid.
- 27 Ibid.

Louisiana

Background

Louisiana offers three pre-K programs: The Cecil J. Picard LA 4 Early Childhood Program (LA 4), 8(g) Student Enhancement Block Grant, and the Non-Public School Early Childhood Development Program (NSECD).

The Cecil J. Picard LA 4 Early Childhood Program (LA 4)

LA 4, Louisiana's primary preschool program for public school students, is a full-day pre-K program for four-year-olds. All four-year-olds in the state are eligible to participate, but only slots for students who are eligible for free and reduced-price lunch are funded by the state. Schools and districts that elect to include higher income students in LA 4 programs must either charge parent tuition or incur costs themselves. The Louisiana Department of Education (LDE) administers LA 4 through an annual competitive process. Only local education agencies are eligible to receive LA 4 funding.¹

8(g) Student Enhancement Block Grant

8(g) is a block grant that local education agencies can use to offer full-day pre-K to four-year-olds who are eligible for free and reduced-price lunch.² Grant recipients can also choose to use the grant for non-pre-K initiatives, such as supporting distance learning and purchasing textbooks. The Board of Elementary and Secondary Education (BESE) administers 8(g) as a competitive grant program.³

Non-Public School Early Childhood Development Program (NSECD)

Administered by the Louisiana Department of Education (LDE),⁴ NSECD provides state-funded preschool for children in private schools and child care centers rated three stars or higher on the state's Quality Start child care rating system. NSECD reimburses participating non-public schools for the costs of serving four-year-olds who are eligible for free or reduced priced lunch.⁵ As of FY15, only students in full-day programs can access NSCED funds.⁶

Charter schools in Louisiana

Louisiana permits start-up and conversion charter schools. Local school boards and the state board of education may serve as authorizers. Louisiana also permits the creation of a limited number of "local charter authorizers," which are state agencies and nonprofits approved by the state board to authorize charter schools in a particular geographic area. To ensure the quality of prospective authorizers, Louisiana limits the number of local charter authorizers in



TOTAL SCORE

34/50

Louisiana's climate for charter schools to offer pre-K is **somewhat hospitable***

- + There are no state statutory or regulatory barriers to charter schools accessing state funding for pre-K.
- Compared to K-12 funding levels, low pre-K program funding makes offering pre-K less attractive to charters.
- + The size of the pre-K program does not limit charter access to funding.
- The funding, application, or approval process creates a barrier to charter access.
- + Automatic enrollment from charter pre-K to kindergarten is not prohibited in legislation or practice.

** Louisiana's score is based on all three of Louisiana pre-K programs because they are similar along the indicators that we evaluated.*



each regional labor market area and requires them to have the capacity to monitor at least five schools.⁷

Process for Accessing Pre-K Funds

Schools interested in offering any of Louisiana's early childhood programs apply through the state's electronic Grants Management System. Through the application, new providers can request first-time slots and existing providers can request additional slots.⁸ Existing providers must reapply annually for continued funding. Funding preference is given to existing providers, particularly to sites that serve as many or more children than the number of slots for which they receive funding.⁹

In 2012, Louisiana passed Act 3 as a way to integrate and streamline state-funded pre-K programs. Act 3 created a new system in which community networks, led by a lead organization and comprised of school districts, charter schools, and non-school early education providers, review and submit pre-K provider applications to LDE.¹⁰ Starting in the 2015–16 school year, any provider application for state pre-K funding will have to go through a community network. The ultimate goal is for networks to provide a single point of access for families to subsidized child care and preschool programs in the community—and to direct families and funds to quality slots in the community.

Barriers

There are three state funding streams for pre-K in Louisiana; the barriers focus on all three because they are similar along the indicators we evaluated.

Are there any statutory or regulatory barriers to charter schools accessing state funding for pre-K?

 **No.** Charter schools in Louisiana are permitted to offer LA 4, NSECD, and 8(g).¹¹ Agency documents for LA 4, NSECD,¹² and 8(g)¹³ indicate that charter schools are eligible to receive funding through these programs.

Louisiana's charter school legislation, however, does not explicitly allow or prohibit charter schools from offering pre-K; it states that they may not include pre-K students in their funding formula count for state Minimum Foundation Program funds, but does not prohibit them from accessing other funds to serve preschool students.¹⁴

Thirty-four Louisiana charter schools currently offer pre-K. Twenty-six of them offer pre-K through LA 4.

Is the funding level of the state pre-K program a barrier to charter access?

 **Yes.** Low pre-K program funding, compared to K–12 funding levels, makes pre-K less attractive to charters. Charter schools that offer half-day pre-K in Louisiana receive 41 percent of the per-pupil funding amount that charters receive to serve K–12 students. Over the past several years, the number of charter schools offering pre-K has declined because the amount of money that grantees receive for LA 4 is insufficient to cover the costs of delivering a program that meets state length-of-day and quality requirements.

Is the size of the state pre-K program a barrier to charter access?

 **No.** The size of Louisiana's pre-K programs is not a barrier to charters accessing state pre-K funds. The programs serve nearly 30 percent of all four-year-olds in the state.

Is the application, approval, and/or funding process a barrier to charter access?

 **Yes.** The funding process is a barrier to charter schools offering pre-K in the state. Funding priority is given to existing providers, which limits opportunities for new providers, including charter schools, to access funding. In practice, however, more than one-third of elementary charter schools in Louisiana offer pre-K, suggesting that this barrier is less of an issue than in other states.

Is automatic enrollment from pre-K to kindergarten prohibited in legislation or practice?

 **No.** Louisiana's charter school legislation does not explicitly allow charter schools to enroll pre-K students directly into their kindergarten program. In practice, however, Louisiana charter schools that offer pre-K automatically enroll students from pre-K to kindergarten.



Recommendations

To address these barriers to charter access, Louisiana should:

- Increase the funding level for LA 4 to cover the costs of delivering a program that meets state requirements.
- Revise the state’s charter school legislation or release guidance to state explicitly that charter schools may directly enroll students from their pre-K program into their kindergarten.
- Make the Louisiana “school readiness” tax credit, which provides businesses a tax credit for contributions to child care providers, available to charter schools, as well as child care providers.

	The Cecil J. Picard LA 4 Early Childhood Program (LA 4)	Non-Public School Early Childhood Development Program (NSECD)	8(g) Student Enhancement Block Grant	Charter schools in Louisiana
Year created	Launched in 2001	Launched in 2001	Launched in 1993 ¹⁵	Charter law enacted in 1995 ¹⁶
Children in state	128,430 three- and four-year-olds in Louisiana ¹⁷			927,736 school-age children in Louisiana ¹⁸
Children served	16,283 seats allocated ¹⁹ 0 percent of three-year-olds 25 percent of four-year-olds	1,568 seats allocated 0 percent of three-year-olds 2 percent of four-year-olds	2,634 children served 0 percent of three-year-olds 4 percent of four-year-olds ²⁰	58,691 students served 6.3 percent of school-age population 117 charter schools ²¹
Charters offering pre-K	Thirty-four charter schools in Louisiana offer pre-K. ²²			Ninety-two charter schools in Louisiana offer elementary programs. ²³
Funding	Districts receive \$4,580 per pupil to offer LA 4. ²⁴	Nonpublic schools and child care providers receive \$4,580 per pupil to offer pre-K. ²⁵	Grantees receive \$7.78 per pupil in the districts (grades P–12) to offer pre-K, in addition to a \$60,000 base funding per district. ²⁶	Charter schools receive \$11,134 per pupil to serve K–12. ²⁷



Endnotes

- 1 Louisiana Department of Education (LDE), “Cecil J. Picard LA 4 Early Childhood Program Guidelines and Implementation Handbook,” Winter 2011, <http://www.louisianaschools.net/lde/uploads/18623.pdf>, 6–7.
- 2 LDE, “2014–2015 Requirements and Guidelines for Public School and Nonpublic School Early Childhood Development Prekindergarten Programs,” <https://www.louisianabelieves.com/docs/default-source/early-childhood/2014-15-requirements-and-guidelines.pdf?sfvrsn=10>, 18.
- 3 LDE, “Louisiana Believes” welcome page, <http://www.louisianabelieves.com/early-childhood/early-childhood-programs>.
- 4 Ibid.
- 5 LDE, “2014–2015 Requirements and Guidelines,” 19.
- 6 LDE, “Summary of 2014–15 Requirements and Guidelines: Updates,” <https://www.louisianabelieves.com/docs/default-source/early-childhood/summary-of-2014-15-prek-updates.pdf?sfvrsn=2>.
- 7 National Alliance for Public Charter Schools (NAPCS), “Measuring Up: Louisiana,” <http://www.publiccharters.org/get-the-facts/law-database/states/LA/>.
- 8 LDE, “2014–15 Early Childhood Competitive eGrant Application for LA 4, NSECD, and 8(g) Programs” (webinar), [https://www.louisianabelieves.com/docs/default-source/early-childhood/2014-15-prek-competitive-app-webinar-la-4-8\(g\)-nsecd.pdf?sfvrsn=2](https://www.louisianabelieves.com/docs/default-source/early-childhood/2014-15-prek-competitive-app-webinar-la-4-8(g)-nsecd.pdf?sfvrsn=2).
- 9 LDE, “2014–2015 Requirements and Guidelines.”
- 10 LDE webinar.
- 11 Louisiana State Legislature, LSA-R.S. 17:24.10, <https://www.louisianabelieves.com/docs/default-source/links-for-newsletters/2014la4-rsdtpe2-orleans-app-addendum.pdf?sfvrsn=2>.
- 12 LDE, “2014–2015 Requirements and Guidelines,” 22.
- 13 LSE, “2014–2015 Guidelines for the Submission of 8(g) Competitive Grant Proposals,” February 17, 2014, [http://bese.louisiana.gov/docs/8\(g\)-competitive-grant-program-2014-15/8\(g\)-competitive-guidelines.pdf?sfvrsn=2](http://bese.louisiana.gov/docs/8(g)-competitive-grant-program-2014-15/8(g)-competitive-guidelines.pdf?sfvrsn=2).
- 14 Louisiana State Legislature, LSA-R.S. 17:3995 (6)(b)F, <https://www.legis.la.gov/legis/law.aspx?d=80980>.
- 15 W. Steven Barnett et al., “The State of Preschool 2013: State Preschool Yearbook” (New Brunswick, NJ: National Institute for Early Education Research, 2013), <http://nieer.org/sites/nieer/files/yearbook2013.pdf>.
- 16 NAPCS, “Measuring Up: Louisiana.”
- 17 State population data calculated using ACS 2012 five-year estimates; U.S. Census Bureau, “American Community Survey,” www.census.gov/acs.
- 18 Ibid., all children in households, three to seventeen years old.
- 19 Interview with LDE representative, January 11, 2015.
- 20 W. Steven Barnett et al., “The State of Preschool 2013.”
- 21 NAPCS, “Measuring Up: Louisiana.”
- 22 Louisiana Association of Public Charter Schools, school directory page, <http://lacharterschools.org/charter-schools/school-directory>.
- 23 Ibid.
- 24 LDE, “2014–2015 Cecil J. Picard LA 4 Early Childhood Program Handbook,” <https://www.louisianabelieves.com/docs/default-source/early-childhood/2014-15-la-4-handbook.pdf?sfvrsn=2>.
- 25 NSECD providers that are rated three stars or higher receive the same funding, per pupil, as LA 4.
- 26 Interview with LDE representative, January 11, 2015. Charters can only access the per-pupil amount, not the base funding. The per-pupil amount is for all enrolled students in K–12, not just pre-K students.
- 27 Larry Maloney et al., “Charter School Funding: Inequality Expands,” Louisiana section (Fayetteville, AR: University of Arkansas Department of Education Reform, School Choice Demonstration Project, April 2014), <http://www.uaedreform.org/wp-content/uploads/2014/charter-funding-inequality-expands-la.pdf>.

Maine

Background

Maine Public Preschool Program

The Maine Public Preschool Program (PPP) subsidizes part-day pre-K for four-year-olds. Funds are distributed through the state school funding formula to local school districts, school administrative units (groups of school districts), and charter schools. Participating districts can choose to contract with Head Start, private centers, and family child care homes to provide pre-K. Enrollment eligibility criteria for children are determined locally.

The State Agency Interdepartmental Early Learning (SAIEL) team administers PPP through its early childhood consultant, who approves all PPP applications. Offering preschool is voluntary, and school districts interested in offering preschool must obtain prior approval from the Maine Department of Education.

Charter schools in Maine

Maine permits start-up and conversion charter schools. Local school boards, a collaborative of local boards, or the State Charter Schools Commission can authorize charter schools. Only the State Charter School Commission can serve as an authorizer for virtual charter schools.

Process for Accessing Pre-K Funds

Charter schools interested in offering pre-K must first be approved by their authorizer to include pre-K in their charter contract. Maine follows a “money-follows-the-child” approach to charter school funding, in which the district or school administrative unit (SAU) in which a child resides must transfer the per-pupil allocation for that child to the charter school. If a district chooses to offer preschool, those funds (including both state and local funds) follow pre-K children to charter schools in the same way as for grades K–12.¹ However, a charter school can only receive pre-K funding for students whose home SAU offers pre-K. A charter school will not receive pre-K funds for children who live in a district that does not serve pre-K, because districts only transfer funding for students in grades they serve.



TOTAL SCORE

45/50

Maine's climate for charter schools to offer pre-K is **hospitable**

- + There are no state statutory or regulatory barriers to charter schools accessing state funding for pre-K.
- + Compared to K–12 funding levels, pre-K program funding is sufficient to attract charters.
- + The size of the pre-K program does not limit charter access to funding.
- + The funding, application, and approval processes do not create barriers to charter access.
- + Automatic enrollment from charter pre-K to kindergarten is not prohibited in legislation or practice.



Barriers

Are there any statutory or regulatory barriers to charter schools accessing state funding for pre-K?

 **No.** The state’s pre-K legislation, which was passed before the charter law, does not mention charter schools, but Maine’s charter school legislation explicitly allows charter schools to offer pre-K. The legislation defines a charter school as “a public school formed pursuant to this chapter that... provides a program of education [for] one or more of the following: preschool, prekindergarten and any grade or grades from kindergarten to grade 12.”

Only one charter school in the state, the Fiddlehead School of Arts and Sciences, offers pre-K. Fiddlehead receives per-pupil preschool funds from its students’ home school district.

Is the funding level of the state pre-K program a barrier to charter access?

 **No.** The funding level is not a barrier to charters offering pre-K in Maine. Charter schools that offer half-day pre-K services receive between 52 and 126 percent of the amount they receive for K–12 students, depending on the student’s characteristics (for example, free- or reduced-price lunch eligibility, English-language learner status).

Is the size of the state pre-K program a barrier to charter access?

 **No.** The size of the program is not a barrier to charters accessing state pre-K funds. The program serves more than a third of all four-year-olds in the state. Charter schools can receive per-pupil pre-K funds for students whose home district offers pre-K, and 63 percent of Maine districts that offer kindergarten offer pre-K.

Is the application, approval, and/or funding process a barrier to charter access?

 **No.** Charter schools approved by their authorizer to offer pre-K automatically receive per-pupil pre-K funds for students whose home district offers pre-K.

Is automatic enrollment from pre-K to kindergarten prohibited in legislation or practice?

 **No.** Charter schools can directly enroll pre-K students into their kindergarten program.²

Recommendations

Although Maine currently poses few barriers to charters’ ability to offer pre-K, additional barriers may arise as the charter sector in Maine grows and more charter schools seek to offer pre-K.

Maine should:

- Increase the percentage of Maine school districts that choose to offer pre-K.
- Revise the state’s pre-K legislation (which was passed before the charter law) to list charter schools as potential pre-K providers.



	Public Preschool Program (PPP)	Charter schools in Maine
Year created	Launched in 1983 ³	Charter law enacted in 2011 ⁴
Children in state	28,774 three- and four-year-olds in Maine ⁵	233,044 school-age children in Maine ⁶
Children served	5,088 children served 0 percent of three-year-olds 34 percent of four-year-olds ⁷	400 students served <1 percent of school-age population Five charter schools ⁸
Charters offering pre-K	One charter school in Maine offers pre-K. ⁹	Two charter schools in Maine offer elementary school programs. ¹⁰
Funding	Charter schools receive between \$3,784 and \$8,212 per pupil to offer pre-K. ¹¹	Charter schools receive \$6,509 per pupil to serve K–12 students. ¹²

Endnotes

1 Maine Department of Education, Charter School Founders & Operators, <http://www.maine.gov/doe/charterschools/founders.html#fund>.

2 20-A M.R.S.A. § 2404.

3 W. Steven Barnett et al., “The State of Preschool 2013: State Preschool Yearbook” (New Brunswick, NJ: National Institute for Early Education Research, 2013), <http://nieer.org/sites/nieer/files/yearbook2013.pdf>.

4 National Alliance for Public Charter Schools (NAPCS), “Measuring Up: Maine,” <http://www.publiccharters.org/get-the-facts/law-database/states/ME/>.

5 State population data calculated using ACS 2012 five-year estimates; U.S. Census Bureau, “American Community Survey,” www.census.gov/acs.

6 *Ibid.*, all children in households, three to seventeen years old.

7 W. Steven Barnett et al., “The State of Preschool 2013.”

8 NAPCS, “Measuring Up: Maine.”

9 “FAQ,” Fiddlehead School of Arts, <http://fiddleheadschool.org/about/f-a-q/>.

10 “Authorized Schools,” Maine Charter School Commission, 2012, <http://www.maine.gov/csc/schools.html>.

11 Interview with MDE representative, December 14, 2014. This funding range is for how much charter schools may receive to offer pre-K, per pupil, based on the state funding formula (Essential Programs & Services). The EPS formula is weighted for various student identifications (e.g., low-income, special education, limited English proficiency, pre-K to second grade attendance), <http://www.maine.gov/doe/eps/>.

12 Interview with MDE representative, December 14, 2014.

Maryland

Background

Public Pre-K

Maryland requires that all school districts provide at least half-day pre-K for four-year-olds from families with incomes at or below 185 percent of the federal poverty level. The state enacted this requirement in 2002, at the same time that it overhauled the school-finance system and increased state funding to schools by \$1.3 billion over six years.

The new school-finance system awarded the biggest funding increases to the districts with the most low-income students. Additionally, each school district received a base amount and additional funds based on the number of students who receive special education services, who have limited English proficiency, and who qualify for free and reduced-price meals. Districts had flexibility in determining how to spend the additional funding, as long as they offered full-day kindergarten to all students and at least part-day pre-K to all at-risk students by FY08.¹ As this increase in annual funding levels was intended to cover the cost of providing pre-K, Maryland does not provide districts per-pupil pre-K funding.

In 2014 the state passed the Preschool Expansion Act, a \$4.3 million competitive grant program to offer pre-K to children up to 300 percent of the federal poverty guideline.

Charter schools in Maryland

Maryland permits start-up and conversion charter schools. Currently, only local school boards authorize charter schools in Maryland, but under limited circumstances, the state board of education may authorize the restructuring of an existing public school as a charter.²

Process for Accessing Pre-K Funds

In general, charter schools in Maryland may serve pre-K students if the local district that authorizes them decides to use the charter school as a pre-K site.

For example, in Baltimore City, where most of the state's charter schools are located, charter and traditional public schools that are interested in offering pre-K do so through the district's annual evaluation process, conducted by the Early Learning Programs office. Through this process, the Early Learning Programs office assesses the current and projected pre-K enrollment in the city, determines how many additional pre-K slots are needed, and allocates pre-K slots to providers throughout the city. A school that wants to offer pre-K can request to be included as a pre-K host site in this annual evaluation process.



TOTAL SCORE

33/50

Maryland's climate for charter schools to offer pre-K is **somewhat hospitable**

- + There are no state statutory or regulatory barriers to charter schools accessing state funding for pre-K.
- Compared to K-12 funding levels, low pre-K program funding makes offering pre-K less attractive to charters.
- + The size of the pre-K program does not limit charter access to funding.
- The funding, application, or approval process creates a barrier to charter access.
- + Automatic enrollment from charter pre-K to kindergarten is not prohibited in legislation or practice.



The Early Learning Programs office may accept a school as a host site and allocate pre-K slots to them if the school has the capacity to serve students. It will not allocate pre-K slots if it determines there are no additional slots needed in the community that the school serves.

Barriers

Are there any statutory or regulatory barriers to charter schools accessing state funding for pre-K?

+ **No.** Neither the state charter school legislation nor the preschool legislation address whether charter schools are permitted to offer pre-K. In Baltimore City, where most of the state's charter schools are located, the school district includes charter schools as sites that are able to serve pre-K students and uses charter pre-K classrooms as part of its strategy to meet the state mandate to provide pre-K to all low-income children.

In the 2012–13 school year, 468 students were enrolled in pre-K programs at eleven charter schools.³

Is the funding level of the state pre-K program a barrier to charter access?

– **Yes.** There is no per-pupil funding amount or dedicated funding stream from the state for pre-K. Districts are unlikely to approve new charter school pre-K slots above those needed to meet state requirements because they wouldn't receive additional funding from the state to do so.

Is the size of the state pre-K program a barrier to charter access?

+ **No.** The size of the program is not a barrier to charters accessing state pre-K funds. Thirty-five percent of Maryland's four-year-olds attend publicly funded pre-K.

Is the application, approval, and/or funding process a barrier to charter access?

– **Yes.** Where districts have chosen to embrace chartering as a strategy for expanding children's access to high-quality educational options, as in Baltimore, these districts have also worked with charter schools to offer pre-K in charter settings. Other Maryland districts are more hostile to charter schools, however. Because Maryland charter schools can only offer pre-K by receiving funding from their district, this restricts their ability to offer pre-K. As of May 2015, only seven of Maryland's twenty-four school districts have approved public charter schools.

Is automatic enrollment from pre-K to kindergarten prohibited in legislation or practice?

+ **No.** State law does not explicitly prohibit charter schools from granting enrollment preference to pre-K students who are entering the school's kindergarten program.

Recommendations

To address these barriers to charter access, the state should:

- Strengthen the state's charter school law to allow nondistrict authorizers.
- Ensure that charter schools authorized by nondistrict authorizers have equitable access to local pre-K funds, as well as state and local funds for K–12 students.
- Revise the charter law to explicitly permit charter schools to offer pre-K.
- Enact statute or regulation allowing charter schools that offer pre-K to low-income children to enroll those children in kindergarten without requiring them to go through an additional lottery.



	Public pre-K	Charter schools in Maryland
Year created	Launched in 1980 ⁴	Charter law enacted in 2003 ⁵
Children in state	150,659 three- and four-year-olds in Maryland ⁶	1,132,246 school-age children in Maryland ⁷
Children served	29,407 children served 4 percent of three-year-olds 35 percent of four-year-olds ⁸	21,397 students served 1.9 percent of school-age population Fifty-two charter schools ⁹
Charters offering pre-K	Eleven charter schools in Maryland offer pre-K. ¹⁰	Thirty-four charter schools in Maryland offer elementary school programs. ¹¹
Funding	Districts do not receive per-pupil state funding to offer pre-K.	Charter schools receive \$11,754 per pupil to serve K–12 students. ¹²

Endnotes

1 “Bridge to Excellence in Public Schools Act: Fact Sheet,” Maryland State Department of Education, January 2012, http://www.marylandpublicschools.org/NR/rdonlyres/841ABD3D-FC95-47AB-BB74-BD3C85A1EFB8/31364/FS_63_2012_.pdf.

2 National Alliance for Public Charter Schools (NAPCS), “Measuring Up: Maryland,” <http://www.publiccharters.org/get-the-facts/law-database/states/MD/>.

3 National Alliance for Public Charter Schools, data dashboard, 2013, <http://www.napcs.org>.

4 W. Steven Barnett et al., “The State of Preschool 2013: State Preschool Yearbook” (New Brunswick, NJ: National Institute for Early Education Research, 2013), <http://nieer.org/sites/nieer/files/yearbook2013.pdf>.

5 NAPCS, “Measuring Up: Maryland.”

6 State population data calculated using ACS 2012 five-year estimates; U.S. Census Bureau, “American Community Survey,” www.census.gov/acs.

7 Ibid., all children in households, three to seventeen years old.

8 W. Steven Barnett et al., “The State of Preschool 2013.”

9 NAPCS, “Measuring Up: Maryland.”

10 “Charter Schools in Maryland,” Maryland Charter School Network, http://www.mdcharternetwork.org/csi_md_charterschools.html.

11 The Center for Education Reform, https://www.edreform.com/in-the-states/know-your-choices/find-a-charter-school/?filter%5Bname%5D=&filter%5Bcity%5D=&filter%5Bstate%5D=MD&filter%5Bgrade%5D=&filter%5Bgrades_categories%5D=&filter%5Bspecialty%5D=.

12 Jay May et al., “Charter School Funding: Inequality Expands,” Maryland section (Fayetteville, AR: University of Arkansas Department of Education Reform, School Choice Demonstration Project, April 2014), <http://www.uaedreform.org/wp-content/uploads/2014/charter-funding-inequity-expands-dc.pdf>.

Massachusetts

Background

Massachusetts offers two state-funded pre-K programs: Universal Pre-K (UPK) and the Inclusive Preschool Learning Environment grant, also known as IPLE or Grant 391.

Universal Pre-K (UPK)

UPK is a full-day program open to three- and four-year-olds who have two or more risk factors associated with poor academic or social outcomes later in life, such as living in a low-income household, being an English language learner or a recent immigrant, or having parents with less than a high school education.¹

The Department of Early Education and Care administers UPK as a competitive grant program. The UPK statute permits a range of different providers to apply for funding: public or private, nonprofit or for-profit preschools, child care centers, and Head Start agencies. Charter schools are also permitted to apply for UPK funding.²

Inclusive Preschool Learning Environments (IPLE or Grant 391)

IPLE provides supplemental funding for preschool centers and public schools to enroll typically developing three- and four-year-olds alongside children with disabilities in pre-K inclusion classrooms, with the goal of providing preschool services to children with disabilities in an inclusive learning environment. At least 15 percent of children enrolled in an IPLE classroom must have a documented disability. Programs are offered on the district's schedule and can include half- or full-day programs. Participating children do not need to meet any income eligibility criteria.

EEC administers IPLE funding as a competitive grant program. Public schools, Head Start agencies, and licensed early education and care providers can apply for funding and offer IPLE services.³ Charter schools are also eligible to offer IPLE.⁴

Charter schools in Massachusetts

The state board of education is the only charter school authorizer in Massachusetts.⁵ There are two types of charter schools in Massachusetts: Commonwealth and Horace Mann charter schools.⁶ Commonwealth charter schools must have their charters approved by the state board of education. Horace Mann charter schools are required to have their charters approved by the local school board and, in some cases, the local teachers union, in addition to the state board of education.⁷ Most charter schools in the state are Commonwealth charter schools.



TOTAL SCORE

33/50

Massachusetts's climate for charter schools to offer pre-K is **somewhat hospitable***

- + There are no state statutory or regulatory barriers to charter schools accessing state funding for pre-K.
- + Compared to K-12 funding levels, pre-K program funding is sufficient to attract charters.
- The size of the pre-K program limits charter access to funding.
- The funding, application, or approval process creates a barrier to charter access.
- + Automatic enrollment from charter pre-K to kindergarten is not prohibited in legislation or practice.

** Massachusetts's score is based on the process that charters go through to receive state per-pupil funding for pre-K from students' home districts, rather than their Universal Pre-K (UPK) or Inclusive Preschool Learning Environments (IPLE) programs, because these per-pupil funds are the only funding stream charter schools currently access to offer pre-K.*



Process for Accessing Pre-K Funds

Charter schools interested in offering pre-K must first be approved by the state board of education to include pre-K in their charter. Because funding for charter pre-K programs comes out of the local district's budget, the state board will only authorize a charter school to offer pre-K if the district in which the charter is located already makes pre-K widely available to its own students. This policy allows charter schools equitable access to pre-K funding in districts that offer pre-K to most of their students, but prevents districts that do not offer pre-K widely from having to pay charters tuition for pre-K students.

In Massachusetts, school districts must pay tuition for resident pupils attending charter schools. If pre-K is widely available in a school district, it must also pay tuition for resident pupils in pre-K who attend charter schools. The state provides districts reimbursement funds to compensate for these tuition costs (in addition to the regular state formula funds).⁸

The state board of education has approved fourteen charter schools in Massachusetts to offer pre-K, and thirteen currently do so. These fourteen charter schools are “one-district” charters that serve primarily children from a single sending district. Sending districts that widely offer pre-K may use a variety of funding sources to do so, including UPK, IPLE, federal, local, and other state funds.

Charter schools are also technically eligible to receive UPK and IPLE funds directly from the state, but none currently do so.⁹ To receive UPK funding, potential providers must apply to the EEC.¹⁰ Preference is given to UPK providers in underperforming school districts or districts in which a majority of families earn less than 85 percent of the state median income.¹¹ In FY14 and FY15, only renewal grant applications were considered (new providers were last permitted to compete in FY13). Providers must also submit an application to EEC to receive IPLE funding. IPLE funding has only been available as a renewal grant for existing providers since FY12.¹² Both IPLE and UPK grants must be renewed annually. EEC expects to revise both its UPK and IPLE grant processes in FY16.

Barriers

There are multiple state funding streams for pre-K in Massachusetts; the barriers focus on all three programs because charters can access funding through each.

Are there any statutory or regulatory barriers to charter schools accessing state funding for pre-K?

 **No.** Neither the pre-K nor the charter school legislation in Massachusetts explicitly addresses whether charter schools can offer pre-K. Charter schools may offer pre-K if they are authorized in their charter to do so. The state allows charter schools to apply for UPK and IPLE funding, but none currently do.

Is the funding level of the state pre-K program a barrier to charter access?

 **Tuition from districts with widely available pre-K: No.** The amount of funding is sufficient to attract charters to offer pre-K. Charters that offer pre-K receive the same per-pupil funding amount that districts receive to serve preschoolers.

 **UPK/IPLE: Yes.** Low pre-K program funding, compared to K-12 funding levels, makes offering full-day pre-K through UPK or IPLE less attractive to charters. Charter schools that offer UPK services receive 74 percent of the per-pupil funding amount that charters receive to serve full-day K-12 students. This amount is close to our cutoff of 75 percent. IPLE is a flat grant amount intended to subsidize inclusion classrooms and, used alone, is not sufficient to cover the full cost of offering pre-K.

Is the size of the state pre-K program a barrier to charter access?

 **Tuition from districts with widely available pre-K: Yes.** Relatively few districts in Massachusetts offer widely available pre-K, and as a result relatively few charter schools are able to access pre-K funds in this way.

 **UPK/IPLE: Yes.** The small size of the program is a barrier to charters accessing state pre-K funds. The programs serve less than 10 percent of all four-year-olds in the state.

Is the application, approval, and/or funding process a barrier to charter access?

 **Tuition from districts with widely available pre-K: Yes.** Charter schools are only able to receive tuition payments for pre-K students in districts with widely available pre-K.

 **UPK/IPLE: Yes.** The funding process is a barrier to charter schools offering UPK or IPLE. For the past several years, UPK and IPLE funds have only been available to



existing providers through renewal grants, precluding new providers, including charter schools, from accessing these funds.

Is automatic enrollment from pre-K to kindergarten prohibited in legislation or practice?

+ **No.** There is no enrollment preference in Massachusetts’s legislation. In practice, a student must enter a charter school pre-K program via an enrollment lottery and can automatically enroll from pre-K into the school’s kindergarten program.

Recommendations

To address these barriers to charter access, the state should:

- Release guidance that explicitly allows charter schools that are not located in districts with widely available pre-K to apply for UPK or IPLE grant funding.
- Re-compete existing UPK and IPLE slots on a regularly occurring basis—such as every three to five years—and allow both new and existing providers to compete on an equitable basis, based on student need, proposed or existing program quality, and track record of improving student outcomes. Staggering the grant periods would allow for an open competition every year, while maintaining a level of continuity for programs and families.
- If policymakers decide to expand access to preschool in Massachusetts, they should ensure that the expanded program enables charter schools to access preschool funds, either through the current tuition payment system or by applying for funds directly.

	Universal Pre-K (UPK)	Inclusive Preschool Learning Environments (IPLE)	Charter schools in Massachusetts
Year created	Launched in 2005	Launched in 1985 ¹³	Charter law enacted in 1993 ¹⁴
Children in state	150,896 three- and four-year-olds in Massachusetts ¹⁵		1,194,844 school-age children in Massachusetts ¹⁶
Children served	7,242 children served 4.7 percent of three- and four-year-olds served	6,093 children served 4 percent of three- and four-year-olds served	35,353 students served 3 percent of school-age population ¹⁷ Eighty charter schools ¹⁸
Charters offering pre-K	Thirteen charter schools in Massachusetts offer pre-K. ^{19,20}		Thirty-eight charter schools in Massachusetts offer elementary programs. ²¹
Funding	Providers receive \$3,009 per pupil to offer UPK, up to \$15,045 per classroom.	Providers receive a flat grant amount, between \$6,197 and \$648,707 to offer IPLE. ²²	Charter schools receive \$14,140 per pupil to serve K–12 students. ²³



Endnotes

- 1 Massachusetts Executive Office of Education, “FY2014 Universal Pre-K Renewal Grant,” May 2013, <http://www.mass.gov/edu/birth-grade-12/early-education-and-care/financial-assistance/funding-opportunities/open-renewal-grants/fy2014-universal-pre-kindergarten-renewal-grant.html>.
- 2 Interview with representatives from the Massachusetts Department of Early Education and Care, February 13, 2015.
- 3 IPLE FY15 grant application, <http://www.mass.gov/edu/birth-grade-12/early-education-and-care/financial-assistance/funding-opportunities/open-renewal-grants/fy-2015-inclusive-preschool-learning-environments-grant.html>.
- 4 Interview with representatives from the Massachusetts Department of Early Education and Care, February 13, 2015.
- 5 National Alliance for Public Charter Schools (NAPCS), “Measuring Up: Massachusetts,” <http://www.publiccharters.org/get-the-facts/law-database/states/MA/>.
- 6 Massachusetts Department of Elementary and Secondary Education, “Massachusetts Charter Schools Fact Sheet,” <http://www.doe.mass.edu/charter/factsheet.pdf>.
- 7 <http://www.doe.mass.edu/charter/app/NewOperators.pdf>
- 8 Massachusetts Department of Elementary and Secondary Education, “Massachusetts Charter Schools: Understanding District Aid for Commonwealth Charter School Tuition,” October 2013, <http://www.doe.mass.edu/charter/finance/tuition/Reimbursements.html>.
- 9 Massachusetts Executive Office of Education, “FY 11 Universal Pre-Kindergarten (UPK) Grantee List,” <http://www.mass.gov/edu/docs/eec/programs-licensing/20110222-fy11-upk-granteelist.pdf>.
- 10 ABT Associates, “Massachusetts Universal Pre-Kindergarten (UPK) Pilot Program, FY08 Evaluation: Executive Summary” (Cambridge, MA: ABT Associates, August 2008), <http://www.mass.gov/edu/docs/eec/programs-licensing/2008-upk-evaluation-summary.pdf>.
- 11 Education Justice, “Massachusetts,” <http://www.educationjustice.org/states/massachusetts.html#stgr895>.
- 12 Massachusetts Executive Office of Education, “FY 2015 Inclusive Preschool Learning Environments Grand Fund Code 391,” <http://www.mass.gov/edu/birth-grade-12/early-education-and-care/financial-assistance/funding-opportunities/open-renewal-grants/fy-2015-inclusive-preschool-learning-environments-grant.html>.
- 13 W. Steven Barnett et al., “The State of Preschool 2013: State Preschool Yearbook” (New Brunswick, NJ: National Institute for Early Education Research, 2013), <http://nieer.org/sites/nieer/files/yearbook2013.pdf>.
- 14 NAPCS, “Measuring Up: Massachusetts.”
- 15 State population data calculated using ACS 2012 five-year estimates; U.S. Census Bureau, “American Community Survey,” www.census.gov/acs.
- 16 Ibid., all children in households, three to seventeen years old.
- 17 NAPCS, “Measuring Up: Massachusetts.”
- 18 Massachusetts Department of Elementary and Secondary Education, “Massachusetts Charter Schools: About Charter Schools,” <http://www.doe.mass.edu/charter/about.html>.
- 19 Massachusetts Charter Public School Association, “Find a Charter School,” <http://www.masscharterschools.org/schools/>; Boston Public Schools, “Baldwin Early Learning Pilot Academy,” <http://www.bostonpublicschools.org/Page/771>. Thirteen charter schools currently offer pre-K, but fourteen are approved to do so. Prospect Hill Academy is approved to offer pre-K, but does not currently serve preschoolers.
- 20 Examples: UP Academy Charter School of Dorchester (<http://upeducationnetwork.org/up-academy-charter-school-of-dorchester/>), Conservatory Lab Charter School (<http://conservatorylab.org>), Lawrence Family Development Charter School (<http://www.lfdcs.org>), Neighborhood House Charter School (<http://www.thenhcs.org>).
- 21 Massachusetts Charter Public School Association, “Find a Charter School.”
- 22 Massachusetts Executive Office of Education, “FY 2015 Fund Code 391 Grant Eligibility Amount,” <http://www.mass.gov/edu/docs/eec/financial-assistance/funding-opportunities/open-renewal-grants/fy15inclusiveenvironments/appendix-d-fy2015-391-grant-eligibility-amount.pdf>. The state determines how much funding lead agencies are eligible to receive.
- 23 Meagan Batdorff et al., “Charter School Funding: Inequality Expands,” Massachusetts section (Fayetteville, AR: University of Arkansas Department of Education Reform, School Choice Demonstration Project, April 2014), <http://www.uaedreform.org/wp-content/uploads/2014/charter-funding-inequity-expands-ma.pdf>.

Michigan

Background

Michigan Great Start Readiness Program (GSRP)

Michigan's Great Start Readiness Program (GSRP) is a part-day and full-day program for at-risk four-year-olds.¹ At least 90 percent of GSRP students must come from a household with a family income under 250 percent of the Federal Poverty Level.² The remaining 10 percent of slots may be filled with children from families that do not meet the income eligibility but who demonstrate other risk factors for low educational achievement.³ Providers that receive Head Start funds may also offer a GSRP/Head Start blend model.

The Michigan Department of Education (MDE) administers GSRP. All GSRP funding is awarded through a formula grant to intermediate school districts (ISDs). ISDs can contract with for-profit or nonprofit preschool providers, including public school districts and Public School Academies, a type of charter school.⁴

Charter schools in Michigan

Local school boards, intermediate school boards, community colleges, and state public universities may become charter school authorizers.⁵ Currently, only higher-education institutions and local education agencies serve as authorizers.⁶ Most Michigan charter schools are authorized by higher-education institutions.

There are four types of charter schools in Michigan: Public School Academies, Urban High School Academies, Strict Discipline Academies, and Schools of Excellence. Public School Academies, which were the first charter schools in Michigan, are traditional charter schools: state-funded public schools operating under a charter contract. Urban High School Academies are secondary schools in urban areas.⁷ Strict Discipline Academies serve suspended, expelled, or incarcerated students.⁸

Schools of Excellence are a special category of charter schools created in 2010 as part of a "smart cap" policy. High-performing charter schools that meet certain criteria may be designated as Schools of Excellence. These schools can be authorized and replicated outside Michigan's 150-school cap on the number of university-authorized charter schools. Schools of Excellence may include (1) replications of high-performing charter schools, (2) cyber schools, or (3) former Public School Academies that have received a designation as Schools of Excellence.⁹



TOTAL SCORE

38/50

Michigan's climate for charter schools to offer pre-K is **somewhat hospitable**

- + There are no state statutory or regulatory barriers to charter schools accessing state funding for pre-K.
- Compared to K-12 funding levels, low pre-K program funding makes offering pre-K less attractive to charters.
- + The size of the pre-K program does not limit charter access to funding.
- + The funding, application, and approval processes do not create barriers to charter access.
- + Automatic enrollment from charter pre-K to kindergarten is not prohibited in legislation or practice.



Process for Accessing Pre-K Funds

ISDs apply for GSRP slots through the MDE. MDE allocates GSRP slots to ISDs based on a funding formula, which incorporates the percentage of students eligible for free and reduced-price lunch. Individual ISDs determine the process by which they select subrecipients. All subrecipients must be able to achieve at least a three-star rating in Great Start to Quality, the state's quality rating and improvement system for early-childhood programs. GSRP legislation requires that ISDs allocate at least 30 percent of GSRP slots for community agencies other than public schools, such as Head Start grantees.¹⁰

Barriers

Are there any statutory or regulatory barriers to charter schools accessing state funding for pre-K?

+ **No.** Michigan's charter law explicitly allows Public School Academies to offer pre-K. Public School Academies are eligible to access GSRP slots and provide pre-K services as subrecipients of ISDs.¹¹ Schools of Excellence can also offer pre-K, but it is not explicitly stated in state legislation.

A significant number of Michigan charter schools have successfully accessed state pre-K funds. At least seventy-six charter schools in the state offer pre-K, and at least thirty-eight of those schools receive GSRP funding. It is possible that many more charter schools in the state offer pre-K through other funding streams or through an affiliated pre-K program, but the state does not centrally track this information.

Is the funding level of the state pre-K program a barrier to charter access?

- **Yes.** Low pre-K program funding, compared to K-12 funding levels, makes pre-K less attractive to charters. Charter schools that offer GSRP receive less than 40 percent of the per-pupil funding amount that charters receive to serve full-day K-12 students.

Is the size of the state pre-K program a barrier to charter access?

+ **No.** The size of the program is not a barrier to charters accessing state pre-K funds. The program serves about 25 percent of all four-year-olds in the state.

Is the application, approval, and/or funding process a barrier to charter access?

+ **No.** Charter schools must access GSRP funding through an ISD, but they do so through the same process as any other pre-K provider, including traditional school districts and community-based providers. The number of charter schools receiving GSRP funds suggests that the ISD application process is not a significant barrier to access.

Is automatic enrollment from pre-K to kindergarten prohibited in legislation or practice?

+ **No.** Michigan legislation does not explicitly allow charter schools to automatically enroll pre-K students into kindergarten. In practice, charters' ability to grant enrollment preference to pre-K students depends on the authorizer.

Are there any other barriers to charter access?

- **Yes.** One policy issue that may impact charter schools' ability to offer pre-K is the inconsistency in how Michigan authorizers approach charter schools that offer pre-K. Some authorizers in Michigan view pre-K as outside of the authorizer's responsibility because it is not funded by the state K-12 grant, while others require charter schools to amend their contract to include pre-K in order to operate a pre-K program. Although this inconsistency does not appear to prevent charter schools from offering pre-K, it may negatively affect charter schools that cannot automatically enroll pre-K students in their pre-K program because of the practices of their authorizer.

Recommendations

To address these barriers to charter access, Michigan should do the following:

- Increase GSRP funding to cover the cost of delivering a high-quality program. Increasing GSRP funding would enable charter schools to offer the program and increase access to a broader range of providers.
- Revise the charter school legislation to allow charter schools to grant enrollment preference to pre-K students who receive federally funded, state-funded, or locally funded pre-K and who are from a charter pre-K program or affiliated program, as long as students were admitted via lottery and the kindergarten program has more open spaces than interested pre-K students.
- Revise the charter school legislation to clarify authorizers' responsibility for approving and overseeing charter schools to offer GSRP or other pre-K programs.



	Great Start Readiness Program (GSRP)	Charter schools in Michigan
Year created	Launched in 1985 ¹²	Charter law enacted in 1993 ¹³
Children in state	244,738 three- and four-year-olds in Michigan ¹⁴	1,982,348 school-age children in Michigan ¹⁵
Children served	30,552 children served 0 percent of three-year-olds 25 percent of four-year-olds ¹⁶	141,204 students served 7.1 percent of school-age population 297 charter schools ¹⁷
Charters offering pre-K	At least seventy-six charter schools in Michigan offer pre-K, though the state does not track data on the number of charter schools with affiliated pre-K programs. ¹⁸	Two hundred fifty charter schools in Michigan offer elementary school programs. ¹⁹
Funding	Intermediate school districts (ISDs) receive GSRP slot allocations according to a funding formula, ²⁰ and the allocations amount to about \$3,625 per slot. ²¹	Charter schools receive \$9,485 per pupil for K–12 students. ²²

Endnotes

1 Michigan State Government: School Funding, http://www.michigan.gov/documents/mde/Funding_August_2014_466768_7.pdf.

2 Interview with MDE representative, February 19, 2015.

3 Michigan State Government: School Recruitment and Enrollment, http://www.michigan.gov/documents/mde/Recruitment_and_Enrollment_August_2014_466772_7.pdf.

4 “Great Start Readiness Program,” Michigan State Government, http://www.michigan.gov/documents/mde/GSRP-Overview_410757_7.pdf.

5 National Alliance for Public Charter Schools (NAPCS), “Measuring Up: Michigan,” <http://www.publiccharters.org/get-the-facts/law-database/states/MI/>.

6 National Association of Charter School Authorizers, “Michigan Charter Authorizers,” <http://www.qualitycharters.org/authorizer-comparison/state-by-state-overviews-michigan.html>.

7 “Michigan Charter Schools – Questions and Answers,” Michigan Department of Education, http://www.michigan.gov/documents/PSAQA_54517_7.pdf.

8 Ibid.

9 Ibid.

10 Michigan State Government: School Funding, http://www.michigan.gov/documents/mde/Funding_August_2014_466768_7.pdf.

11 “Enrolled House Bill No. 4325,” State of Michigan 96th Legislature, June 21, 2011, <http://www.legislature.mi.gov/documents/2011-2012/publicact/pdf/2011-PA-0062.pdf>.

12 W. Steven Barnett et al., “The State of Preschool 2013: State Preschool Yearbook” (New Brunswick, NJ: National Institute for Early Education Research, 2013), <http://nieer.org/sites/nieer/files/yearbook2013.pdf>.

13 NAPCS, “Measuring Up: Michigan.”

14 State population data calculated using ACS 2012 five-year estimates; U.S. Census Bureau, “American Community Survey,” www.census.gov/acs.

15 Ibid., all children in households, three to seventeen years old.

16 Interview with MDE representative, February 19, 2015.

17 NAPCS, “Measuring Up: Michigan.”

18 “Schools/Facilities by Public School Academy District,” Michigan Education Department, http://www.michigan.gov/documents/mde/PSAs_297270_7.pdf.

19 Ibid.

20 Michigan State Government: School Funding, http://www.michigan.gov/documents/mde/Funding_August_2014_466768_7.pdf.

21 Interview with MDE representative, February 19, 2015.

22 Larry Maloney et al., “Charter School Funding: Inequality Expands,” Michigan section (Fayetteville, AR: University of Arkansas Department of Education Reform, School Choice Demonstration Project, April 2014), <http://www.uaedreform.org/wp-content/uploads/2014/charter-funding-inequity-expands-dc.pdf>.

Minnesota

Background

Minnesota offers two pre-K initiatives: Early Learning Scholarships (ELS) and the School Readiness Program (SRP).

Early Learning Scholarships (ELS)

Minnesota offers Early Learning Scholarships for at-risk three- and four-year-olds to attend high-quality preschool programs. Scholarships are awarded to families as a voucher (Pathway I) or directly to approved provider sites (Pathway II).¹ Scholarships may be used only at providers that participate in the state's Parent Aware quality rating system and have received a three- or four-star rating by the start of 2016.² Eligible providers include school district prekindergarten and preschool programs, Head Start, child care centers, licensed family child care providers, and MDE-approved charter schools.³

School Readiness Program (SRP)

Minnesota offers full- and part-day pre-K for three- and four-year-olds who qualify for free or reduced-price lunch, are English learners or homeless, or have been deemed otherwise at risk by the school district.⁴ The Minnesota Department of Education (MDE) administers the School Readiness Program (SRP) to participating districts through a funding formula. Only school districts are eligible to directly receive funding, but districts may contract with charter schools or other community-based organizations to operate the program.⁵ Districts must establish a sliding tuition scale for parents, although they may waive these fees for very low-income families. Districts may also allow not-at-risk families to participate on a tuition basis.

Charter schools in Minnesota

Minnesota enacted the nation's first charter law in 1991. Minnesota permits start-up and conversion charter schools. Local school boards, intermediate school boards, cooperatives, qualified charitable nonprofits, private colleges, public postsecondary institutions, and charitable, nonsectarian, single-purpose authorizers may serve as charter authorizers in Minnesota.⁶



TOTAL SCORE

27/50

Minnesota's climate for charter schools to offer pre-K is **not hospitable***

- + There are no state statutory or regulatory barriers to charter schools accessing state funding for pre-K.
- Compared to K-12 funding levels, low pre-K program funding makes offering pre-K less attractive to charters.
- The size of the pre-K program limits charter access to funding.
- The funding, application, or approval process creates a barrier to charter access.
- + Automatic enrollment from charter pre-K to kindergarten is not prohibited in legislation or practice.

** Minnesota's score is based on the Early Learning Scholarships (ELS) program, rather than the School Readiness Program (SRP), because ELS is the clearer path for charter schools to access state funding for pre-K (see below).*



Process for Accessing Pre-K Funds

Early Learning Scholarships: To be eligible for Pathway I and II Early Learning Scholarships, a charter school must participate in the state's quality rating system, Parent Aware. Charter schools can only receive Pathway I funding if they enroll students from a family that receives a Pathway I scholarship. The funding amount that a charter school receives through Pathway I depends on the star rating of the program: Programs with higher star ratings receive more funding.

Pathway II Early Learning Scholarships are available to school districts, Head Start programs, child care centers, and charter schools in certain state-designated districts.⁷ Charter schools that offer an MDE-recognized pre-K or preschool program may be eligible to receive ELS once they obtain a four-star Parent Aware rating. Certain providers, including charter schools with MDE-approved early learning programs, can receive four-star ratings through an accelerated, streamlined process.⁸ Entities that have been approved by MDE to offer Pathway II scholarships receive a set amount of Pathway II funding for a twelve-month period.

SRP funds: Charter schools can only receive SRP funds through subcontracts with a local district. In order to receive SRP funds, a district or a group of districts must submit a biennial school readiness plan to the Minnesota Department of Education commissioner. Applicants must estimate the number of eligible participants the program will serve.⁹ Minnesota distributes School Readiness funds to participating districts through a formula based on the poverty rate and the number of four-year-olds who live in the district.¹⁰ Individual districts determine whether or not to subcontract with charter schools or other providers and how they will select such providers.

Barriers

This discussion of barriers includes both ELS and SRP because charters can access funding through both programs.

Are there any statutory or regulatory barriers to charter schools accessing state funding for pre-K?

 **No.** Minnesota's charter legislation explicitly allows charter schools to offer pre-K and access state funding to do so.¹¹ Twenty charter schools in Minnesota offer pre-K. None of these schools currently receive ELS or SRP funding directly. It is possible that some charter schools offer pre-K as

subcontractors for districts that receive SRP funds, but the state does not track data on how SRP funds are used.

Is the funding level of the state pre-K program a barrier to charter access?

 **ELS: Yes.** The ELS per-pupil amount is a barrier to charters offering pre-K in Minnesota. Low program funding, compared to K-12 funding levels, makes pre-K less attractive to charters. Charter schools that serve ELS students receive 44 percent of the per-pupil amount that charters receive to serve K-12 students.

 **SRP: Unclear.** SRP funding is distributed to districts on a population basis rather than on a per-pupil basis, and the state does not track the number of preschool students served. Therefore, it is unclear how much funding SRP-funded pre-K programs receive per pupil.

Is the size of the state pre-K program a barrier to charter access?

 **ELS: Yes.** The size of the program is a barrier to charters accessing state ELS funds. The program only serves 2 percent of all three-, four-, and five-year-olds in the state.¹²

 **SRP: Unclear.** The state does not track the number of preschoolers that are served with SRP funds.

Is the application, approval, and/or funding process a barrier to charter access?

 **ELS: Yes.** The approval process is a barrier to charter schools accessing ELS funding. Early Learning Scholarships are available only in some parts of the state, preventing charter schools in other parts of the state from accessing these scholarships. Even in communities where scholarships are available, no charter schools have completed the process to become Pathway II providers.

 **SRP: Yes.** The funding process is barrier to charter schools accessing School Readiness funding. School Readiness Program funds are distributed only to districts, and charter schools can only access these funds by subcontracting with a district.

Is automatic enrollment from pre-K to kindergarten prohibited in legislation or practice?

 **No.** Minnesota legislation explicitly allows charter schools to grant enrollment preference to children who attend the school's free preschool or pre-K program.¹³



Recommendations

To address these barriers to charter access, the state should:

- Encourage more charter schools located in areas where Early Learning Scholarships are available to become Pathway II providers.
- Increase Early Learning Scholarships funding to cover the cost of delivering a high-quality program, which would enable charter schools to offer the program and increase access to a broader range of providers.
- Require districts that receive SRP funding to include charter schools when developing their SRP plans and to share SRP funds with these schools on an equitable basis.

	Early Learning Scholarships (ELS)	School Readiness Program (SRP)	Charter schools in Minnesota
Year created	Launched in 2014	Launched in 1991 ¹⁴	Charter law enacted in 1991 ¹⁵
Children in state	215,813 three-, four-, and five- year-olds in Minnesota ¹⁶		1,069,231 school-age children in Minnesota ¹⁷
Children served	5,000 children served ¹⁸ 2 percent of three-, four-, and five-year olds	23,000 children served ¹⁹ 11 percent of three-, four-, and five-year olds	43,937 students served 4.1 percent of school-age population 157 charter schools ²⁰
Charters offering pre-K	Twenty charter schools in Minnesota offer pre-K. ²¹		One hundred charter schools in Minnesota offer elementary school programs. ²²
Funding	Providers receive \$5,000 per pupil through Early Learning Scholarships. ²³	Districts receive SRP funding through a funding formula; in 2014, districts received between \$873 and \$789,264 to offer SRP. ²⁴	Charter schools receive \$11,429 per pupil to serve K–12 students. ²⁵



Endnotes

- 1 “Early Learning Scholarship Programs,” Minnesota Department of Education, 2014, <http://www.education.state.mn.us/MDE/StuSuc/EarlyLearn/EarlyLearnScholarProg/index.html>.
- 2 “2013 Minnesota Statutes,” The Office of the Revisor of Statutes, 2013, <https://www.revisor.mn.gov/statutes/?year=2013&id=124D.142>.
- 3 “Early Learning Scholarship Programs,” Minnesota Department of Education, 2014, <http://www.education.state.mn.us/MDE/StuSuc/EarlyLearn/EarlyLearnScholarProg/index.html>.
- 4 “2014 Minnesota Statutes,” The Office of the Revisor of Statutes,” 2014, <https://www.revisor.mn.gov/statutes/?id=124D.15>.
- 5 Ibid.
- 6 National Alliance for Public Charter Schools (NAPCS), “Measuring Up: Minnesota,” <http://www.publiccharters.org/get-the-facts/law-database/states/MN/>.
- 7 “Early Learning Scholarship Programs,” Minnesota Department of Education, 2014, <http://www.education.state.mn.us/MDE/StuSuc/EarlyLearn/EarlyLearnScholarProg/index.html>.
- 8 “Indicators and Scoring: Accelerated Pathway to Rating,” Parent Aware, February 2015, <http://parentawareratings.org/files/Indicators%20Accelerated.pdf>.
- 9 “State of Minnesota School Readiness Program Plan for FY 2014 and FY 2015,” Minnesota Department of Education, January 2015, <http://tinyurl.com/ozdqghc>.
- 10 “2014 Minnesota Statutes,” The Office of the Revisor of Statutes, 2014, <https://www.revisor.mn.gov/statutes/?id=124D.15>.
- 11 M.S.A. § 124D.10 Subd. 8(f).
- 12 The percentage of students served is out of three-, four-, and five-year-olds because Minnesota does not track the number of students enrolled in early-childhood programs with unique student identifiers. As a result, we have to refer to outside research for the unduplicated number of early childhood students in the state, which uses 3–5 year olds rather than 3–4 year olds.
- 13 M.S.A. § 124D.10 Subd. 9(c).
- 14 W. Steven Barnett et al., “The State of Preschool 2013: State Preschool Yearbook” (New Brunswick, NJ: National Institute for Early Education Research, 2013), <http://nieer.org/sites/nieer/files/yearbook2013.pdf>.
- 15 NAPCS, “Measuring Up: Minnesota.”
- 16 State population data calculated using ACS 2012 five-year estimates; U.S. Census Bureau, “American Community Survey,” www.census.gov/acs.
- 17 Ibid., all children in households, three to seventeen years old.
- 18 “Early Learning Scholarship Programs,” Minnesota Department of Education, 2014, <http://www.education.state.mn.us/MDE/StuSuc/EarlyLearn/EarlyLearnScholarProg/index.html>.
- 19 “Statewide Readiness Report Card,” Wilder Research, <http://www.wilder.org/Wilder-Research/Publications/Studies/School%20Readiness%20Report%20Card/School%20Readiness%20Report%20Card%20-%20All%20Fact%20Sheets.pdf>.
- 20 Interview with MDE representative, February 19, 2015. Another nineteen charter schools are approved to open in fall 2015.
- 21 Minnesota Association of Charter Schools, <http://www.mncharterschools.org/directories/index.php?intAttributeID=104#results>.
- 22 Ibid.
- 23 “Early Learning Scholarship Programs, FAQ,” Minnesota Department of Education, 2015, <http://www.education.state.mn.us/MDE/StuSuc/EarlyLearn/EarlyLearnScholarProg/index.html>.
- 24 Interview with MDE representative, February 19, 2015. Minnesota Statutes 2014 124D.16 Subd 2.
- 25 <http://www.uaedreform.org/wp-content/uploads/2014/charter-funding-inequity-expands-mn.pdf>.

Missouri

Background

Missouri offers two pre-K initiatives: a funding formula program through HB 1689 and a start-up grant through the Missouri Preschool Program (MPP). The Missouri Department of Elementary and Secondary Education (DESE) administers both programs.

HB 1689 (2014)

In 2014, Missouri passed HB 1689 as a funding stream for pre-K. Under the law, school districts and charter schools that operate pre-K programs will receive funding through the school foundation formula for three- to five-year-olds who are eligible for free or reduced-price meals (FARM). Once HB 1689 is fully implemented, schools will be able to include these students in their average daily attendance (ADA) counts and receive state funding through the school-funding formula for them.

According to HB 1689, the state will begin providing pre-K funding in the 2015–16 school year for unaccredited school districts (a state categorization for the most low-performing districts) and in the 2016–17 school year for provisionally accredited districts (the next-lowest-performing districts).¹ Charter schools, which are not given an accreditation status, and accredited school districts will not receive funding until the school foundation formula is fully funded.² It is unclear if and when the foundation formula will be fully funded; in the 2015–16 school year, the foundation formula is underfunded by 8 percent.³

Missouri Preschool Program (MPP)

The Missouri Preschool Program (MPP) is a competitive grant program that provides start-up funding for organizations to offer full-day programming to three- and four-year-olds. Government entities, public schools (including charter schools), and private agencies are eligible to apply for MPP grants.⁴

Charter schools in Missouri

Missouri permits start-up and conversion charter schools. Charter schools in Missouri may only operate in certain school districts: large urban districts and districts rated in the lowest three performance categories on the state's accountability system.

Local school boards, the state board of education, 501(c)(3) nonprofits, and specific institutions of higher education, among other entities, can authorize charter schools in the Kansas City and St. Louis school districts as well as in unaccredited districts. In most other districts, only local school boards may sponsor charter schools.⁵



TOTAL SCORE

26/50

Missouri's climate for charter schools to offer pre-K is **not hospitable***

- + There are no state statutory or regulatory barriers to charter schools accessing state funding for pre-K.
- + Compared to K–12 funding levels, pre-K program funding is sufficient to attract charters.
- The size of the pre-K program limits charter access to funding.
- The funding, application, or approval process creates a barrier to charter access.
- Automatic enrollment from charter pre-K to kindergarten is prohibited in legislation or practice.

** Missouri's score is based on the funding stream created by HB 1689 rather than the Missouri Preschool Program because, once funded, it will be the primary funding stream for charters to offer pre-K.*



Process for Accessing Pre-K Funds

If the school foundation formula is fully funded, charter schools will be able to receive state funding to serve preschoolers through HB 1689. The charter schools will first need to be approved by their authorizers to include pre-K in their charter contract. After enrolling students, charter schools will be able to include all 3–5-year-olds who are eligible for free and reduced-price meals in their average daily attendance count for the school foundation funding formula.

Potential MPP providers apply to access funding through a competitive Invitation for Grant process.⁶ Successful applicants are awarded contracts for up to five years. After the third year of the grant, the percentage of state funds starts to decline significantly so that the provider is completely phased out of funding by the end of the fifth-year grant.

Barriers

This discussion of barriers focuses on both HB 1689 and MPP because once the foundation formula is fully funded, charter schools will be able to access funding through both programs.

Are there any statutory or regulatory barriers to charter schools accessing state funding for pre-K?

+ **No.** Missouri’s charter school legislation explicitly allows charter schools to offer pre-K. The state charter law requires that charter schools “provide a comprehensive program of instruction for at least one grade or age group from kindergarten through grade twelve, which may include early childhood education if funding for such programs is established by statute, as specified in its charter.”

HB 1689 explicitly includes charter schools as potential pre-K operators, although the statute does not allow them to receive pre-K funds until the foundation formula is fully funded.

The MPP legislation lists public schools as eligible to compete for MPP funding, which the state has interpreted to mean that charter schools are eligible to compete for MPP funds.

Three charter schools in Missouri offer pre-K. One of these schools, Confluence Academy, receives funding through MPP.

Is the funding level of the state pre-K program a barrier to charter access?

+ **HB 1689: No.** When fully operational, charter schools will receive funding for pre-K students in the same way that charters receive funding for K–12 students.

– **MPP: Yes.** Low funding makes offering pre-K less attractive to charters. Charter schools that offer half-day pre-K through MPP receive 45 percent of the per-pupil funding that charter schools receive to serve K–12 students.

Is the size of the state pre-K program a barrier to charter access?

– **HB 1689: Yes.** Charter schools cannot receive funds through HB 1689 until the school foundation funding formula is fully funded, and it is currently underfunded by 8 percent.

– **MPP: Yes.** The size of the program is a barrier to charters accessing state pre-K funds. The program only serves 3 percent of all four-year-olds in the state.

Is the application, approval, and/or funding process a barrier to charter access?

– **HB 1689: Yes.** The funding process is currently a barrier to charter access. Under HB 1689, LEAs receive pre-K funding based solely on accreditation status. Because charter schools do not participate in the accreditation-status system, they cannot receive HB 1689 funding until the foundation formula is fully funded, even if they are located in an unaccredited or provisionally accredited district or serve children who live in one. If the formula is fully funded, charter schools will no longer face application, approval, or funding barriers to accessing pre-K funding.

– **MPP: Yes.** The funding process is a barrier to charter access. The Missouri Preschool Program provides only start-up funds, not continuing-operating funds, for pre-K programs.

Is automatic enrollment from pre-K to kindergarten prohibited in legislation or practice?

– **Yes.** Students who complete a pre-K program at a Missouri charter school must enter the school’s kindergarten enrollment lottery.⁷



Recommendations

To address these barriers, the state should:

- Allow charter schools that are located within the physical boundaries of a district that is eligible for HB 1689 or who serve children who live in an eligible district to receive HB 1689 funding for serving eligible children.
- Amend the state’s charter legislation to allow children who attend pre-K at a state-funded charter pre-K program, or a program that provides pre-K to parents free of charge, to enroll in the state’s kindergarten program without going through a separate lottery.

	House Bill (HB) 1689	Missouri Preschool Program (MPP)	Charter schools in Missouri
Year created	Passed in 2014 ⁸	Launched in 1998 ⁹	Charter law enacted in 1998 ¹⁰
Children in state	159,113 three- and four-year-olds in Missouri ¹¹		1,186,501 school-age children in Missouri ¹²
Children served	Program is not yet operational ¹³	3,675 children served 1 percent of three-year-olds 3 percent of four-year-olds ¹⁴	19,439 students served 1.6 percent of school-age population Thirty-eight charter schools ¹⁵
Charters offering pre-K	At least three charter schools in Missouri offer pre-K. ¹⁶		Twenty-eight charter schools in Missouri offer elementary school programs. ¹⁷
Funding	Starting in the 2015–16 school year, some local education agencies (LEAs) will receive HB 1689 funds through a funding formula based on the number of three–five-year-olds who are eligible for free or reduced-price meals. ¹⁸	Providers receive about \$6,000 per child for the first three years (start-up funding). ¹⁹	Charter schools receive \$13,390 to serve K–12 students. ²⁰



Endnotes

- 1 “Accreditation Classification,” Missouri Department of Elementary and Secondary Education, March 2015, <https://dese.mo.gov/sites/default/files/AccreditationClassification.pdf>.
- 2 “SCS HCS HB 1689 – Elementary and Secondary Education,” Missouri House of Representatives, <http://www.house.mo.gov/billtracking/bills141/sumpdf/HB1689T.pdf>.
- 3 Interview with Missouri Charter Association representative; October 16, 2014.
- 4 Missouri Department of Elementary and Secondary Education, Missouri Preschool Program 2015-2016 Administrative Manual-Amendment 1, <https://dese.mo.gov/sites/default/files/eel-el-2016-MPP-New-Renewal-Admin-Manual.pdf>.
- 5 National Alliance for Public Charter Schools (NAPCS), “Measuring Up: Missouri,” <http://www.publiccharters.org/get-the-facts/law-database/states/MO/>.
- 6 Missouri Department of Elementary and Secondary Education, Missouri Preschool Program 2015-2016 Administrative Manual-Amendment 1, <https://dese.mo.gov/sites/default/files/eel-el-2016-MPP-New-Renewal-Admin-Manual.pdf>.
- 7 Interview with Kansas City Public Schools representative, November 3, 2014.
- 8 “House Bill No. 1689,” Missouri House of Representatives, 2014, <http://www.house.mo.gov/billtracking/bills141/billpdf/truly/HB1689T.PDF>.
- 9 W. Steven Barnett et al., “The State of Preschool 2013: State Preschool Yearbook” (New Brunswick, NJ: National Institute for Early Education Research, 2013), <http://nieer.org/sites/nieer/files/yearbook2013.pdf>.
- 10 NAPCS, “Measuring Up: Missouri.”
- 11 State population data calculated using ACS 2012 5-year estimates.
- 12 State population data calculated using ACS 2012 5-year estimates. All children in households, 3-17 years old.
- 13 “House Bill No. 1689,” Missouri House of Representatives, 2014, <http://www.house.mo.gov/billtracking/bills141/billpdf/truly/HB1689T.PDF>.
- 14 W. Steven Barnett et al., “The State of Preschool 2013.”
- 15 NAPCS, “Measuring Up: Missouri.”
- 16 Private, with sliding-scale tuition: Benjamin Banneker Charter Academy of Technology; City Garden Montessori School; North Side Community School.
- 17 “Kansas City Missouri Charter Schools,” Missouri Department of Elementary and Secondary Education, <http://dese.mo.gov/sites/default/files/qs-charter-kccharterschools.pdf>.
- 18 “House Bill No. 1689,” Missouri House of Representatives, 2014, <http://www.house.mo.gov/billtracking/bills141/billpdf/truly/HB1689T.PDF>.
- 19 Missouri Department of Elementary and Secondary Education, Missouri Preschool Program 2015-2016 Administrative Manual-Amendment 1, <https://dese.mo.gov/sites/default/files/eel-el-2016-MPP-New-Renewal-Admin-Manual.pdf>.
- 20 Megan Batdorff et al., “Charter School Funding: Inequality Expands,” Missouri section (Fayetteville, AR: University of Arkansas Department of Education Reform, School Choice Demonstration Project, April 2014), <http://www.uaedreform.org/wp-content/uploads/2014/charter-funding-inequality-expands-dc.pdf>.

Nevada

Background

Pre-Kindergarten Education Program (PEP)

Nevada's PEP is a relatively small program that offers at least ten hours per week of pre-K programming for three- and four-year-olds. Each provider determines child eligibility locally, but the state prioritizes homeless students, students from low-income families, students with disabilities, and English language learners.¹

The Nevada Department of Education (NDE) administers the Pre-Kindergarten Education Program as a competitive grant program. School districts and community organizations are eligible to receive PEP funding.²

Charter schools in Nevada

Nevada only allows start-up charter schools, not conversion charter schools. Local school boards, a college within the Nevada System of Higher Education, and the State Public Charter School Authority can authorize Nevada charter schools. School boards and institutions of higher education must be approved by the Nevada Department of Education to become authorizers.³ In practice, only local education agencies (LEAs) and the State Public Charter School Authority authorize charter schools.⁴

Process for Accessing Pre-K Funds

Providers interested in offering PEP compete for two-year grants through the Nevada Department of Education. Funding during the second year is conditioned on successful completion of the grant requirements during the first year, including program requirements and early childhood education and parent outcome indicators, such as increases in children's auditory comprehension and the amount of time parents spend reading with their children. New and existing providers are eligible to apply for PEP grants every two years.

The state convenes a panel to review provider applications. The panel consists of at least three members: one early childhood professional, one education professional, and one individual with expertise in literacy and/or parenting programs. The panel assesses applications using a rubric that includes indicators such as program need and eligibility and strong evidence of collaboration with existing programs.⁵



TOTAL SCORE

31/50

Nevada's climate for charter schools to offer pre-K is **somewhat hospitable**

- + There are no state statutory or regulatory barriers to charter schools accessing state funding for pre-K.
- Compared to K-12 funding levels, low pre-K program funding makes offering pre-K less attractive to charters.
- The size of the pre-K program limits charter access to funding.
- + The funding, application, and approval processes do not create barriers to charter access.
- + Automatic enrollment from charter pre-K to kindergarten is not prohibited in legislation or practice.



Barriers

Are there any statutory or regulatory barriers to charter schools accessing state funding for pre-K?

+ **No.** Although neither the state charter law nor the PEP legislation explicitly allows charter schools to offer pre-K or compete for PEP funding, Nevada's charter law does imply that charter schools can serve pre-K students. The law allows charter schools to grant enrollment preference to any child who "was enrolled, free of charge and on the basis of a lottery system, in a prekindergarten program at the charter school or any other early-childhood educational program affiliated with the charter school." At least two charter schools in the state offer pre-K. Neither program receives funding through PEP.

Is the funding level of the state pre-K program a barrier to charter access?

- **Yes.** Low pre-K program funding, compared to K-12 funding levels, makes pre-K less attractive to charters. Charter schools that offer half-day PEP services receive less than 38 percent of the per-pupil funding amount that charters receive to serve full-day K-12 students.

Is the size of the state pre-K program a barrier to charter access?

- **Yes.** The size of the program is a barrier to charters accessing state pre-K funds. The program only serves 3 percent of all four-year-olds in the state.

Is the application, approval, and/or funding process a barrier to charter access?

+ **No.** The application, approval, and funding processes are not barriers to charter access.

Is automatic enrollment from pre-K to kindergarten prohibited in legislation or practice?

+ **No.** Nevada charter school legislation allows charter schools to grant enrollment preference to children who previously attended a pre-K program affiliated with or at the school.

Recommendations

To address these barriers to charter access, the state should:

- Increase funding for PEP to cover the cost of delivering a high-quality program.
- Increase the overall number of state-funded pre-K slots.



	Pre-Kindergarten Education Program (PEP)	Charter schools in Nevada
Year created	Launched in 2001 ⁶	Charter law enacted in 1997 ⁷
Children in state	78,489 three- and four-year-olds in Nevada ⁸	553,345 school-age children in Nevada ⁹
Children served	1,393 children served 1 percent of three-year-olds 3 percent of four-year-olds ¹⁰	26,022 students served 4.7 percent of school-age population Thirty-four charter schools ¹¹
Charters offering pre-K	At least two charter schools in Nevada offer pre-K; the state does not track data on charter schools with affiliated pre-K programs. ^{12,13}	Twenty-eight charters in Nevada offer elementary school programs. ¹⁴
Funding	Providers receive \$2,439 per pupil to offer PEP.	Charter schools receive \$6,500 to serve K–12 students. ¹⁵

Endnotes

1 W. Steven Barnett et al., “The State of Preschool 2013: State Preschool Yearbook” (New Brunswick, NJ: National Institute for Early Education Research, 2013), <http://nieer.org/sites/nieer/files/yearbook2013.pdf>.

2 “Request for Application,” Nevada Department of Education, 2015, http://www.doe.nv.gov/Early_Learning_Development/State_PreK/FY16PREKGrantApp/.

3 National Alliance for Public Charter Schools (NAPCS), “Measuring Up: Nevada,” <http://www.publiccharters.org/get-the-facts/law-database/states/NV/>.

4 “Nevada Charter Authorizers,” National Association of Charter School Authorizers, 2014, <http://www.qualitycharters.org/authorizer-comparison/state-by-state-overviews-nevada.html>

5 “Request for Application,” Nevada Department of Education, 2015, http://www.doe.nv.gov/Early_Learning_Development/State_PreK/FY16PREKGrantApp/.

6 W. Steven Barnett et al., “The State of Preschool 2013.”

7 NAPCS, “Measuring Up: Nevada.”

8 State population data calculated using ACS 2012 five-year estimates; U.S. Census Bureau, “American Community Survey,” www.census.gov/acs.

9 Ibid., all children in households, three to seventeen years old.

10 W. Steven Barnett et al., “The State of Preschool 2013.”

11 NAPCS, “Measuring Up: Nevada.”

12 “Nevada Charter School Guide,” Charter School Association of Nevada, 2013, http://www.nevadacharters.org/wp-content/uploads/2013/07/2013_csan_guide.pdf

13 High Desert Montessori, <http://www.hdmsreno.com/#!directory/c1rwx>; Sierra Nevada Charter School Academy, <http://www.snacs.org/pre-school/>.

14 “Charter Schools,” Nevada Department of Education, 2015, http://www.doe.nv.gov/Charter_Schools/.

15 Interview with representative of Charter School Association of Nevada, November 20, 2014.

New Jersey

Background

New Jersey pre-K programs

New Jersey previously offered three separate streams of state funding for preschool: the Abbott Preschool Program, the Non-Abbott Early Childhood Program, and the Early Launch to Learning Initiative. In 2008, the New Jersey legislature enacted the School Funding Reform Act (SFRA), a statewide funding formula that allocates funding to districts previously covered by the aforementioned programs.

SFRA funds full-day preschool for all three- and four-year-olds in school districts with more than 40 percent of students living at or below 185 percent of the federal poverty level. Although the SFRA legislation also authorizes preschool funding to serve children in other districts who qualify for free or reduced-price lunch, the act has never been fully funded, and the state does not provide sufficient funding in practice to cover all eligible children.¹

The New Jersey Department of Education's Division of Early Childhood Education (DECE) administers the state's pre-K programs. Only districts are eligible to receive SFRA funding, but they can subcontract with community-based and private providers and are encouraged to do so. Charter schools are also eligible to receive SFRA funding to offer pre-K.

Charter schools in New Jersey

New Jersey permits start-up and conversion charter schools. Only the state commission of education is permitted to authorize charter schools in the state.²

Process for Accessing Pre-K Funds

Charter schools interested in offering pre-K submit a five-year program plan application to the New Jersey Division of Early Childhood Education.³ The agency only awards charter schools pre-K slots if it determines there is unmet need for additional slots in the region. Funding passes through the district before going to the charter school.

Charter schools that serve pre-K must meet state preschool program requirements, which include facilities and teacher qualification requirements.⁴ The state also reviews budgets for all pre-K providers, including both community-based programs and charter schools. Charter schools that receive pre-K funding must pay pre-K teachers on the same teacher pay scale used by the host district.



TOTAL SCORE

31/50

New Jersey's climate for charter schools to offer pre-K is **somewhat hospitable**

- + There are no state statutory or regulatory barriers to charter schools accessing state funding for pre-K.
- + Compared to K-12 funding levels, pre-K program funding is sufficient to attract charters.
- + The size of the pre-K program does not limit charter access to funding.
- The funding, application, or approval process creates a barrier to charter access.
- Automatic enrollment from charter pre-K to kindergarten is prohibited in legislation or practice for some charter schools.



Barriers

Are there any statutory or regulatory barriers to charter schools accessing state funding for pre-K?

+ **No.** Although neither the state pre-K legislation nor charter school legislation directly addresses whether charter schools are allowed to offer pre-K, the charter law states that “the school district of residence shall pay directly to the charter school...if applicable, 100% of preschool education aid.” Seven charter schools in New Jersey offer pre-K.⁵

Is the funding level of the state pre-K program a barrier to charter access?

+ **No.** The funding level is not a barrier to charters offering pre-K in New Jersey. Charter schools that offer full-day pre-K receive between 85 and 88 percent of the per-pupil funding amount that charters receive to serve full-day K–12 students.

Is the size of the state pre-K program a barrier to charter access?

+ **No.** The size of the program is not a barrier to charters accessing state pre-K funds. The program serves about 20 percent of three-year-olds in the state and more than a quarter of four-year-olds in the state.

Is the application, approval, and/or funding process a barrier to charter access?

– **Yes.** The approval process is a barrier to charter access. The New Jersey Department of Early Childhood Education only awards slots to new providers, including charter schools, if they determine there is unmet need in the district, regardless of the quality or potential unique features a new provider may be able to offer.

Is automatic enrollment from pre-K to kindergarten prohibited in legislation or practice?

– **Yes,** in some cases. Charter schools that offer pre-K can directly enroll their pre-K students into their kindergarten programs if pre-K is included in their charters. Charter schools that do not have pre-K in their charter contracts cannot automatically enroll their pre-K students.

Are there any other barriers to charter access?

– **Yes.** The state imposes many more requirements on programs, staffing, and budget for pre-K charters than for

K–12 charters, which may infringe on charter school autonomy in these key areas. For example, charters are required to pay pre-K teachers on the same salary schedule that the host district uses, and the state must review charter schools’ budgets for pre-K.

Recommendations

To address these barriers to charter access, the state should:

- Revise the state pre-K and charter laws to explicitly allow charter schools to offer pre-K or release guidance that does so.
- Release guidance or modify state statute to explicitly allow children who attend a pre-K program operated by a charter school to automatically enroll in the school’s kindergarten, as long as students are enrolled in pre-K via lottery and the kindergarten program is not oversubscribed.
- Allow DECE to consider pre-K applications from charter schools that have a very strong track record of K–12 performance or would contribute a unique offering not currently available in the community (such as a Montessori program), even if there is not unmet need in the district, provided those applications meet a high bar for proposed program quality.
- Allow charter schools that meet all other program standards to pay pre-K teachers according to the same compensation scale or policies used for the charter’s K–12 teachers, rather than the district salary schedule.



	New Jersey pre-K programs	Charter schools in New Jersey
Year created	Launched in 1998 and 2004 ⁶	Charter law enacted in 1995 ⁷
Children in state	223,395 three- and four-year-olds in New Jersey ⁸	1,735,962 school-age children in New Jersey ⁹
Children served	51,726 children served 20 percent of three-year-olds 28 percent of four-year-olds ¹⁰	37,743 students served 2.2 percent of school-age population Eighty-seven charter schools ¹¹
Charters offering pre-K	Seven charter schools in New Jersey offer pre-K. ¹²	Sixty-three charter schools in New Jersey offer elementary school programs. ¹³
Funding	Districts receive between \$12,720 and \$13,224 to offer pre-K. ¹⁴	Charter schools receive \$15,043 per pupil to serve K–12 students. ¹⁵

Endnotes

- 1 “Formula for Success: Adding High Quality PreK to State School Funding Formulas,” Pew Center on the States, May 2010, <http://www.edlawcenter.org/assets/files/pdfs/publications/AddingPre-KToFundingFormulas.pdf>.
- 2 National Alliance for Public Charter Schools (NAPCS), “Measuring Up: New Jersey,” <http://www.publiccharters.org/get-the-facts/law-database/states/NJ/>.
- 3 Interview with Division of Early Childhood Education representative, March 5, 2015.
- 4 “N.J.A.C. 6A:13A, Elements of High Quality Preschool Programs,” New Jersey State, <http://www.state.nj.us/education/code/current/title6a/chap13a.pdf>.
- 5 Interview with Division of Early Childhood Education representative, March 5, 2015.
- 6 W. Steven Barnett et al., “The State of Preschool 2013: State Preschool Yearbook” (New Brunswick, NJ: National Institute for Early Education Research, 2013), <http://nieer.org/sites/nieer/files/yearbook2013.pdf>.
- 7 NAPCS, “Measuring Up: New Jersey.”
- 8 State population data calculated using ACS 2012 five-year estimates; U.S. Census Bureau, “American Community Survey,” www.census.gov/acs.
- 9 Ibid., all children in households, three to seventeen years old.
- 10 W. Steven Barnett et al., “The State of Preschool 2013.”
- 11 NAPCS, “Measuring Up: New Jersey.”
- 12 Interview with Division of Early Childhood Education representative, March 5, 2015.
- 13 “Charter Schools Directory,” State of New Jersey Department of Education, 2010, <http://education.state.nj.us/directory/charter.php>.
- 14 Interview with Division of Early Childhood Education representative, March 5, 2015.
- 15 Larry Maloney et al., “Charter School Funding: Inequality Expands,” New Jersey section (Fayetteville, AR: University of Arkansas Department of Education Reform, School Choice Demonstration Project, April 2014), <http://www.uaedreform.org/wp-content/uploads/2014/charter-funding-inequality-expands-dc.pdf>.

New Mexico

Background

New Mexico PreK

New Mexico PreK is a competitive grant program that funds half-day pre-K for all four-year-olds in participating communities.¹ Funding priority is given to communities where at least 66 percent of elementary-age children are enrolled in Title I schools.² School districts, child care centers, Head Start centers, faith-based centers, home-based centers, municipalities, universities, and charter schools are eligible to apply for state pre-K funding. New Mexico PreK is administered by two different agencies, depending on the provider type: the Public Education Department (PED) oversees school districts and charter school providers, and the Children, Youth, and Families Department (CYFD) oversees community-based providers.³

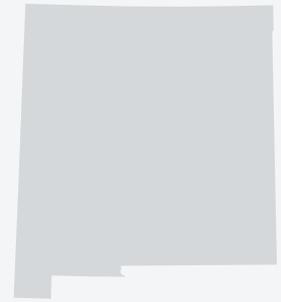
Charter schools in New Mexico

New Mexico allows start-up and conversion charter schools. Local school districts and the state public education commission can serve as authorizers.⁴

Process for Accessing Pre-K Funds

PreK funds appropriated by the state legislature are divided between CYFD and PED. Charter schools, public schools, and regional education co-ops apply for PreK funding through PED's annual Request for Applications (RFA) process. PED releases two RFAs: one for continuing programs and one for new programs. A review team, comprised of early childhood professionals, selects PreK grantees. The Public Education Department only awards slots to new school-based providers, including charter schools, if they determine there is unmet need in the district.

Because charter schools apply through PED, they are exempt from New Mexico Child Care Licensing requirements, unlike providers funded through CYFD.⁵



TOTAL SCORE

31/50

New Mexico's climate for charter schools to offer pre-K is **somewhat hospitable**

- + There are no state statutory or regulatory barriers to charter schools accessing state funding for pre-K.
- Compared to K-12 funding levels, low pre-K program funding makes offering pre-K less attractive to charters.
- + The size of the pre-K program does not limit charter access to funding.
- The funding, application, or approval process creates a barrier to charter access.
- + Automatic enrollment from charter pre-K to kindergarten is not prohibited in legislation or practice.



Barriers

Are there any statutory or regulatory barriers to charter schools accessing state funding for pre-K?

+ **No.** Although neither the charter school nor the pre-K legislation in New Mexico specifically addresses whether charter schools may offer pre-K, the Pre-Kindergarten Act states that public schools are eligible providers, which the state interprets to include charter schools. PED also explicitly allows charter schools to apply for PreK funding in its PreK rules.⁶

Five charter schools in New Mexico offer pre-K. All five of those schools receive funding through the state PreK program.⁷

Is the funding level of the state pre-K program a barrier to charter access?

- **Yes.** Low pre-K program funding, compared to K–12 funding levels, makes pre-K less attractive to charters. Charter schools that offer half-day PreK services receive about 21 percent of the per-pupil funding amount that charters receive to serve full-day K–12 students.

Is the size of the state pre-K program a barrier to charter access?

+ **No.** The size of the program is not a barrier to charters accessing state pre-K funds. The program serves about 18 percent of all four-year-olds in the state.

Is the application, approval, and/or funding process a barrier to charter access?

- **Yes.** The approval process is a barrier to charter access. The Public Education Department will only award slots to new providers, including charter schools, if they determine there is unmet need in the district, regardless of the quality or potential unique features a new provider may be able to offer.

Is automatic enrollment from pre-K to kindergarten prohibited in legislation or practice?

+ **No.** New Mexico has not yet established explicit policies related to enrollment from a charter school's pre-K program into the school's kindergarten program. In practice, some charter schools that offer pre-K choose to automatically enroll pre-K students into their kindergarten programs.

Are there any other barriers to charter access?

- **Yes.** Interviews suggest that the lack of sufficient space for additional classrooms is the key barrier to charter growth, for pre-K as well as other grades.

Recommendations

To address these barriers to charter access, New Mexico should:

- Increase the funding level of PreK to cover the cost of providing a high-quality program that meets the state requirements.
- Allow PED to consider pre-K applications from charter schools that have a very strong track record of K–12 performance or would contribute a unique offering not currently available in the community (such as a Montessori program), even if there is not unmet need in the district, provided those applications meet a high bar for proposed program quality.
- Release guidance that explicitly allows charter schools to automatically enroll their state-funded pre-K students into kindergarten.



	New Mexico PreK	Charter schools in New Mexico
Year created	Launched in 2005 ⁸	Charter law enacted in 1993 ⁹
Children in state	57,870 three- and four-year-olds in New Mexico ¹⁰	427,975 school-age children in New Mexico ¹¹
Children served	5,305 children served 0 percent of three-year-olds 18 percent of four-year-olds ¹²	21,911 students served 5.1 percent of school-age population Ninety-five charter schools ¹³
Charters offering pre-K	Five charter schools in New Mexico offer pre-K. ¹⁴	Thirty-six charter schools in New Mexico offer elementary school programs. ¹⁵
Funding	Providers receive \$3,206 per pupil to offer pre-K. ¹⁶	Charter schools receive \$10,336 to serve K–12 students. ¹⁷

Endnotes

1 Hours are locally determined. State funds 450 hours per year.

2 2014 New Mexico Statutes, Section 32A-23A-6, “Early education care and education fund,” Justia, <http://law.justia.com/codes/new-mexico/2014/chapter-32a/article-23a/section-32a-23a-6>.

3 “New Mexico PreK Annual Report,” New Mexico Public Education Department, December 2013, http://cyfd.org/docs/PED-CYFD_Pre-K_Program_Annual_Report_2012-13_VFINAL.pdf.

4 National Alliance for Public Charter Schools (NAPCS), “Measuring Up: New Mexico,” <http://www.publiccharters.org/get-the-facts/law-database/states/NM/>.

5 “New Mexico PreK Annual Report,” New Mexico Public Education Department, December 2013, http://cyfd.org/docs/PED-CYFD_Pre-K_Program_Annual_Report_2012-13_VFINAL.pdf.

6 “Primary and Secondary Education, Educational Standards – General Requirements, Pre-Kindergarten Program,” https://www.newmexicoprek.org/Docs/PED_Prek_Rules_Revised_7.1_2014.pdf.

7 “PreK Provider Search,” New Mexico PreK, <https://www.newmexicoprek.org/index.cfm?event=public.prek.sitesnew>.

8 W. Steven Barnett et al., “The State of Preschool 2013: State Preschool Yearbook” (New Brunswick, NJ: National Institute for Early Education Research, 2013), <http://nieer.org/sites/nieer/files/yearbook2013.pdf>.

9 NAPCS, “Measuring Up: New Mexico.”

10 State population data calculated using ACS 2012 five-year estimates; U.S. Census Bureau, “American Community Survey,” www.census.gov/acs.

11 Ibid., all children in households, three to seventeen years old.

12 The state budgeted to fund 5,331 students, but PED served twenty-six fewer students than planned.

13 NAPCS, “Measuring Up: New Mexico.”

14 “New Mexico Charter Schools 2013-2014,” New Mexico Public Education Department, 2013, <http://ped.state.nm.us/ped/CharterSchoolsDocs/Directory/rptwebrosterall.pdf>.

15 “New Mexico Charter Schools 2013-2014,” New Mexico Public Education Department, 2013, <http://ped.state.nm.us/ped/CharterSchoolsDocs/Directory/rptwebrosterall.pdf>.

16 “New Mexico PreK,” New Mexico Public Education Department, http://ped.state.nm.us/ped/LiteracyEarlyChildhoodEd_PreK_index.html.

17 Jay F. May et al., “Charter School Funding: Inequality Expands,” New Mexico section (Fayetteville, AR: University of Arkansas Department of Education Reform, School Choice Demonstration Project, April 2014), <http://www.uaedreform.org/wp-content/uploads/2014/charter-funding-inequity-expands-dc.pdf>.

New York

Background

New York offers two state-funded pre-K programs: Universal Prekindergarten (UPK) and Statewide Universal Full-Day Prekindergarten (SUFPP). The New York State Education Department (NYSED) administers both programs.

Statewide Universal Full-Day Prekindergarten (SUFPP)

In the 2014 legislative session, the state allocated \$340 million to fund SUFPP, a competitive grant program.¹ SUFPP awards competitive grants to school districts to provide full-day pre-K to four-year-olds who live within the school district boundaries. Districts may submit a consolidated application that includes programs offered by schools, nonprofit organizations, community-based organizations, charter schools, libraries, and museums. All of those groups (except traditional public schools) may apply directly to the state if a district denies them inclusion in its consolidated application.²

Universal Prekindergarten (UPK)

The UPK program was created to offer half-day preschool for all four-year-olds in New York. Funding limitations, however, have restricted the number of available slots. School districts that receive more eligible applicants than can be served must select students on a random basis.³

School districts are the only entities eligible to receive UPK funding, but they are required to set aside a minimum of 10 percent of UPK funds to collaborate with community-based preschool programs to deliver UPK. Community-based programs can include child care, early education, and day care providers; approved preschool special education programs; Head Start centers; nursery schools; libraries; or museums.⁴ Charter schools can only contract with a district to provide UPK services if they offer pre-K through an affiliated program.⁵

UPK funding is allocated to school districts through the state school funding formula.

Charter schools in New York

New York allows start-up and conversion charter schools. Eligible authorizers include local school districts, the Education Department, and the State University of New York (SUNY) Charter School Institute. The New York City Department of Education was originally an authorizer but is no longer, though schools it approved remain under its oversight. SUNY authorizes just under half of the charter schools in the state, and the Education Department authorizes about 21 percent. All other schools were authorized by local school districts.⁶



TOTAL SCORE

36/50

New York's climate for charter schools to offer pre-K is **somewhat hospitable***

- + There are no state statutory or regulatory barriers to charter schools accessing state funding for pre-K.
- Compared to K-12 funding levels, low pre-K program funding makes offering pre-K less attractive to charters.
- + The size of the pre-K program does not limit charter access to funding.
- + The funding, application, and approval processes do not create barriers to charter access.
- + Automatic enrollment from charter pre-K to kindergarten is not prohibited in legislation or practice.

** New York's score is based on its Statewide Universal Full-Day Pre-Kindergarten Program (SUFPP) rather than its Universal Pre-Kindergarten Program (UPK) because the former is the program through which charter schools are eligible to offer state-funded pre-K.*



Process for Accessing Pre-K Funds

There are two paths through which a charter may access SUFP funding. Charter schools may receive funding if a district that applies successfully for SUFP funds includes the charter school in its application to the state. All New York City charter schools that currently receive SUFP funds do so through this pathway. A second pathway is available, however, for charter schools that are not included in district applications. If a district declines to include a charter school in its application, the charter school may apply directly to the state for funding. This pathway is also available to community-based organizations excluded from district-consolidated applications. SUFP grantees must reapply annually for funding.

To receive UPK funding, districts must submit the required application to the NYSED. District eligibility and funding allocation is determined by a state aid formula, outlined in legislation.⁷ UPK districts must reapply for funding annually. Charter schools can only access UPK funding if they operate an affiliated pre-K program and contract with a participating district.

Barriers

There are two state-funded pre-K programs in New York. The barriers section addresses both SUFP and UPK because charters access funding through both programs, whether directly or through an affiliated pre-K program.

Are there any statutory or regulatory barriers to charter schools accessing state funding for pre-K?

+ **SUFP: No.** New York's charter law states that charter schools may serve kindergarten through twelfth grade.⁸ Until recently, the state interpreted this legislation to mean that charter schools could not offer pre-K except through an affiliated program. The SUFP legislation, however, explicitly included charter schools as entities that may receive pre-K funding.⁹ Additionally, the state added a new section to the Education Law in April 2014, which explicitly says that charter schools are eligible to participate in SUFP.¹⁰ At least nine charter schools in New York currently offer pre-K.¹¹ None of these schools receive SUFP funding directly from the state, but several of them receive SUFP funding through a joint application submitted with the New York City Department of Education.¹²

- **UPK: Yes.** Charter schools cannot access state funding through UPK; they may only do so by operating an

affiliated pre-K program and contracting with a district that receives UPK funding.

Before SUFP, some charter schools served preschoolers through a separate but affiliated nonprofit. This approach allowed charter schools to work around the state's prohibition on charter pre-K programs and access UPK funds, but created barriers to enrolling students from the pre-K program directly in the charter school. State agencies and authorizers do not collect data on the numbers of charter-affiliated pre-K programs that exist in the state. At least one of the nine charter schools that offer pre-K does so by accessing UPK funds through an affiliated program.

Is the funding level of the state pre-K program a barrier to charter access?

- **SUFP: Yes.** Low pre-K program funding, compared to K-12 funding levels, makes pre-K less attractive to charters. SUFP funding is low, particularly for a full-day program. Charter schools that offer SUFP receive between 44 and 63 percent of the per-pupil funding amount that charters receive to serve full-day K-12 students.

- **UPK: Yes.** Low pre-K program funding, compared to K-12 funding levels, makes pre-K less attractive to charters. For some providers, UPK funding is low, even for a part-day program. Charter schools that contract with districts to offer UPK can receive as little as 10 percent of the per-pupil funding amount that charters receive to serve full-day K-12 students.

Is the size of the state pre-K program a barrier to charter access?

+ **SUFP: No.** The size of the program is not a barrier to charters accessing state pre-K funds. The program serves about 15 percent of all four-year-olds in the state.

+ **UPK: No.** The size of the program is not a barrier to charters accessing state pre-K funds. The program serves about 45 percent of all four-year-olds in the state.

Is the application, approval, and/or funding process a barrier to charter access?

+ **SUFP: No.** The law offers charter schools two pathways to access SUFP funding: as part of a district's consolidated application or, if denied by the district, through a direct application to the state. The district must deny the charter before the charter can apply directly to the state.



− UPK: Yes. The approval process is a barrier to charter access. Charter schools can access UPK funds only by operating an affiliated pre-K program and contracting with a participating district.

Is automatic enrollment from pre-K to kindergarten prohibited in legislation or practice?

+ SUFP: No. New York’s charter legislation does not address enrollment preferences for pre-K students, but the state’s major charter school authorizers allow charter schools that offer pre-K through SUFP to directly enroll children in kindergarten following completion of the pre-K program.

− UPK: Yes. Charter schools that serve preschoolers through an affiliated pre-K program, such as through UPK, cannot automatically enroll pre-K students into their kindergarten program.

Are there any other barriers to charter access?

− SUFP: Yes. Potential threats to charter autonomy may make offering SUFP less attractive to charters. The SUFP law includes quality and monitoring requirements for funded preschool programs that are more prescriptive than the quality and oversight requirements that typically apply to charter schools. Further, there is some uncertainty about whether or not charter schools that receive SUFP funds through New York City’s consolidated application should be considered vendors to

the district, which would require them to comply with burdensome contracting and vendor requirements of the district’s procurement process.

− SUFP AND UPK: Charter schools face significant obstacles to securing facilities for both pre-K programs—particularly in New York City. Although both district and charter schools face challenges in finding space for preschool programs, inequitable per-pupil funding exacerbates these challenges for charter schools.

Recommendations

To address these barriers to charter access, New York should:

- Clarify that charter schools and other community-based providers that offer pre-K as a part of the district’s consolidated SUFP application need not be considered vendors or required to meet district vendor requirements.
- Release guidance or modify state statute to explicitly allow children who attend a pre-K program operated by a charter school to automatically enroll in the school’s kindergarten.
- Amend state law to explicitly allow charters to offer pre-K and access UPK funding, either directly through the funding formula or by contracting with a participating district.

	Statewide Universal Full-Day Prekindergarten (SUFP)	Universal Prekindergarten (UPK)	Charter schools in New York
Year created	Launched in 2014 ¹³	Launched in 1998 ¹⁴	Charter law enacted in 1998 ¹⁵
Children in state	467,518 three- and four-year-olds in New York ¹⁶		3,606,804 school-age children in New York ¹⁷
Children served	35,338 children served 15.4 percent of four-year-olds ¹⁸	103,347 children served 45 percent of four-year-olds ¹⁹	91,813 students served 2.5 percent of school-age population 233 charter schools ²⁰
Charters offering pre-K	At least nine charter schools in New York offer pre-K, directly or through affiliated pre-K programs; the state does not track data on charter schools with affiliated pre-K programs. ²¹		161 charter schools in New York offer elementary school programs. ²²
Funding	Providers receive between \$7,000 and \$10,000 per pupil to offer SUFP.	Districts receive between \$1,534 and \$12,064 per pupil to offer UPK. ²³	Charter schools receive \$15,920 per pupil to serve K–12 students. ²⁴



Endnotes

- 1 “Governor Cuomo Announces Recipients of \$340 Million in Pre-Kindergarten Funding,” New York State Education Department, 2014, <http://www.p12.nysed.gov/funding/2014-15-statewide-universal-full-day-prekindergarten/nysupk-2014-15-awardee-list.html>.
- 2 “Preliminary Awardee List Announced,” New York State Education Department, 2014, <http://www.p12.nysed.gov/funding/currentapps.html#statewide-upk-14-15>.
- 3 “Grants administered by the New York State Education Department,” New York State Education Department, 2015, <http://www.p12.nysed.gov/funding/currentapps.html#statewideupk-14-15>.
- 4 New York State Codes, Rules, and Regulations, 8 CRR-NY 151-1.2, [https://govt.westlaw.com/nycrr/Document/I36610ef2c22211ddb29d8bee567fca9f?viewType=FullText&originationContext=documenttoc&transitionType=CategoryPageItem&contextData=\(sc.Default\)](https://govt.westlaw.com/nycrr/Document/I36610ef2c22211ddb29d8bee567fca9f?viewType=FullText&originationContext=documenttoc&transitionType=CategoryPageItem&contextData=(sc.Default)).
- 5 An affiliated pre-K program is one that a charter school operates through a separate, but affiliated, entity or organization.
- 6 “New York Charter Authorizers,” National Association of Charter School Authorizers, 2014, <http://www.qualitycharters.org/authorizer-comparison/state-by-state-overviews-new-york.html>.
- 7 New York State Codes, Rules, and Regulations, 8 CRR-NY 151-1.2, [https://govt.westlaw.com/nycrr/Document/I36610ef2c22211ddb29d8bee567fca9f?viewType=FullText&originationContext=documenttoc&transitionType=CategoryPageItem&contextData=\(sc.Default\)](https://govt.westlaw.com/nycrr/Document/I36610ef2c22211ddb29d8bee567fca9f?viewType=FullText&originationContext=documenttoc&transitionType=CategoryPageItem&contextData=(sc.Default)).
- 8 “NY Code – Section 2854: General Requirements,” FindLaw, 2015, <http://codes.lp.findlaw.com/nycode/EDN/II/56/2854>.
- 9 “Announcement of Funding Opportunity 2014-2015,” New York State Education Department, <http://www.p12.nysed.gov/funding/2014-15-statewide-universal-full-day-prekindergarten/nysupk-grant-application-2014-15.pdf>.
- 10 “Statewide Universal Full-Day Pre-Kindergarten Program,” New York City Charter School Center, http://www.nyccharterschools.org/sites/default/files/resources/UPK_S3602Final.pdf.
- 11 “New York Charter Schools,” Northeast Charter Schools Network, 2014, http://www.necharters.org/ny_charter_schools.
- 12 “Governor Cuomo Announces Recipients of \$340 Million in Pre-Kindergarten Funding,” New York State Education Department, 2014, <http://www.p12.nysed.gov/funding/2014-15-statewide-universal-full-day-prekindergarten/nysupk-2014-15-awardee-list.html>.
- 13 Ibid.
- 14 W. Steven Barnett et al., “The State of Preschool 2013: State Preschool Yearbook” (New Brunswick, NJ: National Institute for Early Education Research, 2013), <http://nieer.org/sites/nieer/files/yearbook2013.pdf>.
- 15 National Alliance for Public Charter Schools (NAPCS), “Measuring Up: New York,” <http://www.publiccharters.org/get-the-facts/law-database/states/NY/>.
- 16 State population data calculated using ACS 2012 five-year estimates; U.S. Census Bureau, “American Community Survey,” www.census.gov/acs.
- 17 Ibid., all children in households, three to seventeen years old.
- 18 An SED representative provided the number of children served. Percentage of four-year-olds calculated using NIEER 2013 estimate of 229,660 four-year-olds in the state.
- 19 W. Steven Barnett et al., “The State of Preschool 2013.”
- 20 NAPCS, “Measuring Up: New York.”
- 21 “New York Charter Schools,” Northeast Charter Schools Network, 2014, http://www.necharters.org/ny_charter_schools.
- 22 Ibid.
- 23 “2014-2015 Universal Prekindergarten Program Allocations,” New York State Education Department, 2014, http://www.p12.nysed.gov/upk/documents/2014-15_UPK_Allocationspostedversion.pdf.
- 24 Larry Maloney et al., “Charter School Funding: Inequality Expands,” New York section (Fayetteville, AR: University of Arkansas Department of Education Reform, School Choice Demonstration Project, April 2014), <http://www.uaedreform.org/wp-content/uploads/2014/charter-funding-inequity-expands-dc.pdf>.

North Carolina

Background

North Carolina Pre-Kindergarten Program (NC Pre-K)

The North Carolina Pre-Kindergarten (NC Pre-K) program was initially launched in 2001 as the More at Four Pre-Kindergarten Program. In July of 2011, the General Assembly transferred the program from the Department of Public Instruction to the Department of Human Resources and renamed it the NC Pre-Kindergarten Program, though it retained all the same program requirements. NC Pre-K is a full-day pre-K program for eligible four-year-olds. The program enrolls children based on two priority levels:

- Priority 1: Students from families with income levels at or below 75 percent of the state median income or whose parent is on active military duty or was injured or killed while on active duty.
- Priority 2: Students who do not meet the income requirement but who have limited English proficiency, a developmental need, or a chronic health condition.
- Providers may enroll up to 20 percent Priority 2 students in a program and are encouraged to serve children who have received no prior early education services.¹

The North Carolina Department of Health and Human Services's Division of Child Development and Early Education (DCDEE) administers NC Pre-K as a competitive grant program.² Public schools, childcare centers, and Head Start centers can apply for NC Pre-K funding, while charter schools cannot. Charter schools can only access NC Pre-K funding if they offer an affiliated pre-K program.³

Charter schools in North Carolina

North Carolina permits start-up and conversion charter schools. Prospective charter schools must be approved by both the North Carolina Charter School Advisory Board and the North Carolina State Board of Education.⁴ The North Carolina Department of Education carries out authorizer responsibilities.

Process for Accessing Pre-K Funds

In 2014, the legislature established a standard decision-making process to award pre-K classroom slots. Until school year 2014–15, all new and existing providers were required to apply for funding annually. Since the passage of the new legislation, providers that maintain compliance with program and fiscal standards may continue to be funded through multiyear



TOTAL SCORE

5/50

North Carolina's climate for charter schools to offer pre-K is **not hospitable**

- There are state statutory or regulatory barriers to charter schools accessing state funding for pre-K.
- Compared to K–12 funding levels, low pre-K program funding makes offering pre-K less attractive to charters.
- + The size of the pre-K program does not limit charter access to funding.
- The funding, application, or approval process creates a barrier to charter access.
- Automatic enrollment from charter pre-K to kindergarten is prohibited in legislation or practice.



contracts. Existing providers that have not met program compliance standards must reapply for funding annually. New providers may also apply annually.

NC Pre-K funding flows from the state to one of ninety-one intermediaries that serve as local contract administrators. These include local Smart Start agencies, local education agencies, and other nonprofit agencies. Each county is also required to create a local NC Pre-K advisory committee. The local advisory committee then appoints a subcommittee of early education stakeholders who are not program operators and who do not have a financial stake in which programs are awarded funding. Together, these two committees advertise the funding opportunity and select NC Pre-K sites.

Existing providers that have maintained compliance with program requirements and childcare rules are given preference.⁵ To be considered for funding, providers must maintain a four- or five-star license through the state's Quality Rating and Improvement System (QRIS).⁶

Barriers

Are there any statutory or regulatory barriers to charter schools accessing state funding for pre-K?

 **Yes.** Neither the state charter school legislation nor the NC Pre-K legislation explicitly allow or prohibit charter schools to offer pre-K. Documents prepared by North Carolina Public Schools⁷ and the North Carolina Department of Public Instruction⁸ assert that publicly funded charter schools may only offer grades K–12.

At least five charter schools in North Carolina offer affiliated pre-K programs.

Is the funding level of the state pre-K program a barrier to charter access?

 **Yes.** Low pre-K program funding, compared to K–12 funding levels, makes pre-K less attractive to charters. Charter schools that operate affiliated NC Pre-K programs are required to offer a full-day program but receive only 61 percent of the per-pupil amount that charters receive to serve K–12 students.

Is the size of the state pre-K program a barrier to charter access?

 **No.** The size of the program is not a barrier to charters accessing state pre-K funds. The program serves more than 21 percent of all four-year-olds in the state.

Is the application, approval, and/or funding process a barrier to charter access?

 **Yes.** The approval process is a barrier to charter access. Existing providers are given funding preference, which limits opportunities for new providers, including charter schools that are interested in operating affiliated pre-K programs.

Is automatic enrollment from pre-K to kindergarten prohibited in legislation or practice?

 **Yes.** Charter schools cannot directly enroll students participating in an affiliated pre-K program into their kindergarten program.⁹

Recommendations

To address these barriers, the state should:

- Revise the charter school legislation to explicitly allow charter schools to serve pre-K students, while clarifying that this does not entitle charter schools to receive state K–12 funds for pre-K.
- Increase NC Pre-K funding to cover the cost of delivering a high-quality program.
- Release guidance that explicitly allows charter schools to apply for NC Pre-K funding.
- Allow charter schools that have an affiliation with a pre-K program receiving NC Pre-K Funds to give an enrollment preference to children enrolled in the affiliated NC Pre-K program, subject to the conditions articulated in federal charter school program guidance.¹⁰



	North Carolina Pre-K (NC Pre-K)	Charter schools in North Carolina
Year created	Created in 2001 ¹¹	Charter law enacted in 1996 ¹²
Children in state	255,982 three- and four-year-olds in North Carolina ¹³	1,898,754 school-age children in North Carolina ¹⁴
Children served	26,617 children served 0 percent of three-year-olds 21 percent of four-year-olds ¹⁵	58,933 students served 3.1 percent of school-age population 127 charter schools ¹⁶
Charters offering pre-K	At least five charter schools in North Carolina offer pre-K through affiliated organizations; the state does not track data on the number of charter schools with affiliated pre-K programs. ¹⁷	119 charter schools in North Carolina offer elementary school programs. ¹⁸
Funding	Providers receive \$5,067 per pupil to offer NC Pre-K.	Charter schools receive \$8,277 per pupil to serve K–12 students. ¹⁹

Endnotes

1 “NC Pre-Kindergarten Program Requirements and Guidance,” http://ncchildcare.dhhs.state.nc.us/pdf_forms/NCPre-K_Program_Requirements_Guidance_2014-2015.pdf.

2 “North Carolina,” National Institute for Early Education Research, http://nieer.org/sites/nieer/files/North%20Carolina_2013.pdf.

3 An affiliated pre-K program is one that a charter school operates through a separate, but affiliated, entity or organization.

4 National Alliance for Public Charter Schools (NAPCS), “Measuring Up: North Carolina,” <http://www.publiccharters.org/get-the-facts/law-database/states/NC/>.

5 “NC Pre-K Site Application,” North Carolina Prekindergarten Program, February 14, 2015, http://ncchildcare.nc.gov/word_forms/NCPre-K_Site_Application.doc.

6 “NC Pre-K Standardized Site Selection Process,” North Carolina Department of Health and Human Services: Division of Child Development and Early Education, February 2015, http://ncchildcare.nc.gov/pdf_forms/NCPre-K_AdditionalFAQSiteSelectionProcess.pdf.

7 “Frequently Asked Questions for Charter School Parents,” Public Schools of North Carolina, <http://www.ncpublicschools.org/docs/charterschools/faq/faqparents.pdf>.

8 “Enrollment and Lottery Guidance,” Public Schools of North Carolina, January 14, 2014, <http://www.dpi.state.nc.us/docs/charterschools/faq/enrollment-lottery.pdf>.

9 “Frequently Asked Questions for Charter School Parents,” Public Schools of North Carolina, <http://www.ncpublicschools.org/docs/charterschools/faq/faqparents.pdf>.

10 Federal charter school program guidance allows charter schools to automatically admit certain categories of applicants: students who are enrolled at the school at the time of conversion; students who are living in the attendance area of a converted school at the time of conversion; siblings of students who are admitted to or attending the school; children of a school’s founders, teachers, or staff; and children of employees in a work-site charter school.

11 W. Steven Barnett et al., “The State of Preschool 2013: State Preschool Yearbook” (New Brunswick, NJ: National Institute for Early Education Research, 2013), <http://nieer.org/sites/nieer/files/yearbook2013.pdf>.

12 NAPCS, “Measuring Up: North Carolina.”

13 State population data calculated using ACS 2012 five-year estimates; U.S. Census Bureau, “American Community Survey,” www.census.gov/acs.

14 Ibid., all children in households, three to seventeen years old.

15 Interview with North Carolina Department of Public Instruction representative.

16 NAPCS, “Measuring Up: North Carolina.”

17 At least five offer pre-K, but they are private affiliates: <http://www.ncpublicschools.org/charterschools/schools/>.

18 “Office of Charter Schools,” North Carolina State Board of Education, January 2015, <http://www.ncpublicschools.org/charterschools/schools/>.

19 Megan Batdorff et al., “Charter School Funding: Inequality Expands,” Washington, D.C. section (Fayetteville, AR: University of Arkansas Department of Education Reform, School Choice Demonstration Project, April 2014), <http://www.uaedreform.org/wp-content/uploads/2014/charter-funding-inequity-expands-dc.pdf>.

Ohio

Background

Early Childhood Education (ECE)

The Ohio Early Childhood Education (ECE) program is a half-day program for three- and four-year-olds. The program is free for children from families below the federal poverty level; children from families between 100 and 200 percent must pay tuition on a sliding scale. Programs can accept children from higher-income families but cannot use ECE grant funding for those students. Current funding levels allow the program to serve only a fraction of eligible children.

The Ohio Department of Education (ODE) administers the Early Childhood Education program. School districts receive ECE funding and can subcontract with Head Start providers, faith-based providers, and private providers. Charter schools, also known as community schools in Ohio, can only offer pre-K through an affiliated program.¹

Charter schools in Ohio

Ohio law refers to charters as “community schools.” The state allows for start-up and conversion community schools, authorized by a number of different authorizer types. In practice, sixty local education agencies, three institutions of higher education, six nonprofits, and the Ohio Department of Education authorize community schools in Ohio.²

Process for Accessing Pre-K Funds

ECE funding flows from the Ohio Department of Education to twelve pre-defined geographic regions. ODE allocates slots to the ten highest-need school districts in each region, based on the percentage of children that scored in the lowest band of the state’s kindergarten readiness assessment; the percentage of economically disadvantaged kindergarten students; and the percentage of third-grade students who score below proficient on the reading portion of the Ohio Achievement Assessment. ODE allocates funding to early childhood providers within identified school districts. Providers within the district boundaries that have earned a four- or five-star rating on the state’s quality rating and improvement system (QRIS), Step Up to Quality, will be offered slots first. If those programs do not have capacity, then three-star programs, ODE-licensed preschools that do not already receive ECE funding, and nonpublic preschool programs are offered the slots.³



TOTAL SCORE

5/50

Ohio's climate for charter schools to offer pre-K is **not hospitable**

- There are state statutory or regulatory barriers to charter schools accessing state funding for pre-K.
- Compared to K–12 funding levels, low pre-K program funding makes offering pre-K less attractive to charters.
- The size of the pre-K program limits charter access to funding.
- + The funding, application, and approval processes do not create barriers to charter access.
- Automatic enrollment from charter pre-K to kindergarten is prohibited in legislation or practice.



Barriers

Are there any statutory or regulatory barriers to charter schools accessing state funding for pre-K?

 **Yes.** According to statute, community schools can only admit students between the ages of five and twenty-two.⁴ The state interprets the legislation to mean that charter schools cannot apply for ECE funding through the Ohio Department of Education (ODE). Charter schools may serve preschoolers using private funds or parent tuition, or receive child care subsidies, but must do so through an affiliated pre-K program. While several charter schools offer pre-K through affiliated programs, Ohio does not track data on charters' affiliated pre-K programs.

Is the funding level of the state pre-K program a barrier to charter access?

 **Yes.** Low pre-K program funding, compared to K-12 funding levels, makes pre-K less attractive to charters. Charter schools that offer half-day ECE services through an affiliated pre-K program receive 47 percent of the per-pupil funding amount that charters receive to serve full-day K-12 students.

Is the size of the state pre-K program a barrier to charter access?

 **Yes.** The size of the program is a barrier to charters accessing state pre-K funds. The program serves less than 4 percent of all four-year-olds in the state.

Is the application, approval, and/or funding process a barrier to charter access?

 **No.** The application process is not a barrier to charter access. Charter-affiliated pre-K programs apply to ODE for pre-K funding the same way as any other provider, but as noted above, very low program funding levels limit the number of funded programs.

Is automatic enrollment from pre-K to kindergarten prohibited in legislation or practice?

 **Yes.** Charter schools that offer an affiliated pre-K program cannot directly enroll their pre-K students into their kindergarten program. In 2014, the state passed legislation that allows Montessori charter schools to automatically enroll pre-K students into their kindergarten program.

Recommendations

To address these barriers to charter access, the state should:

- Amend the definition of charter schools to include preschool-age children. If the state decides that charter schools should not receive funding for pre-K through the school funding formula, the legislation can reflect that without creating a barrier to charter schools offering pre-K through other funding streams.
- Increase ECE funding to cover the cost of delivering a high-quality program.
- Increase the number of state-funded ECE slots.
- Require ODE to track which charter schools in the state offer pre-K through affiliated programs.



	Early Childhood Education (ECE)	Charter schools in Ohio
Year created	Launched in 1990 ⁵	Charter law enacted in 1997 ⁶
Children in state	295,394 three- and four-year-olds in Ohio ⁷	2,294,754 school-age children in Ohio ⁸
Children served	11,090 children served ⁹ 3.8 percent of three- and four-year-olds	119,533 students served 5.2 percent of school-age population 400 charter schools ¹⁰
Charters offering pre-K	The state does not track data on charter schools with affiliated pre-K programs.	228 charter schools in Ohio offer elementary programs. ¹¹
Funding	Districts receive \$4,000 per pupil to offer ECE. ¹²	Charter schools receive \$8,580 per pupil to serve K–12 students. ¹³

Endnotes

1 An affiliated pre-K program is one that a charter school operates through a separate, but affiliated, entity or organization.

2 National Association of Charter School Authorizers, “Ohio Charter Authorizers,” <http://www.qualitycharters.org/authorizer-comparison/state-by-state-overviews-ohio.html>.

3 Early Childhood Ohio, “Attachment C: Early Childhood Education Expansion Funding Distribution FY15,” <http://www.earlychildhoodohio.org/files/ECE%20Funding%20Distribution%20FY15.pdf>.

4 LAWriter, “Ohio Laws and Rules: 3314.06 Admission procedures,” <http://codes.ohio.gov/orc/3314.06>.

5 W. Steven Barnett et al., “The State of Preschool 2013: State Preschool Yearbook” (New Brunswick, NJ: National Institute for Early Education Research, 2013), <http://nieer.org/sites/nieer/files/yearbook2013.pdf>.

6 National Alliance for Public Charter Schools (NAPCS), “Measuring Up: Ohio,” <http://www.publiccharters.org/get-the-facts/law-database/states/OH>.

7 State population data calculated using ACS 2012 five-year estimates; U.S. Census Bureau, “American Community Survey,” www.census.gov/acs.

8 Ibid., all children in households, three to seventeen years old.

9 Ohio Department of Education, Office of Early Learning and School Readiness, “Early Childhood Education Expansion Program Requirements: State Fiscal Year 2015,” <http://education.ohio.gov/getattachment/Topics/Early-Learning/Early-Childhood-Education/New-Early-Childhood-Education-Funding-2013%E2%80%9314/Attachment-A-ECE-program-requirements-and-eligibilityFY15.pdf.aspx>.

10 “NAPCS, “Measuring Up: Ohio.”

11 Center for Education Reform, “Find a Charter School,” https://www.edreform.com/in-the-states/know-your-choices/find-a-charter-school/?filter%5Bname%5D=&filter%5Bcity%5D=&filter%5Bstate%5D=OH&filter%5Bgrade%5D=&filter%5Bgrades_categories%5D=&filter%5Bspecialty%5D=

12 Ohio Department of Education, Office of Early Learning and School Readiness, “Early Childhood Education FY2013 Annual Report,” http://education.ohio.gov/getattachment/Topics/Early-Learning/Early-Childhood-Education/Early-Learning-and-School-Readiness-Documents/2013-Early-Childhood-Education-Annual-Report_12-31.pdf.aspx.

13 Larry Maloney et al., “Charter School Funding: Inequality Expands,” Ohio section (Fayetteville, AR: University of Arkansas Department of Education Reform, School Choice Demonstration Project, April 2014), <http://www.uaedreform.org/wp-content/uploads/2014/charter-funding-inequality-expands-oh.pdf>.

Oklahoma

Background

Oklahoma Early Childhood Four-Year-Old Program (EC4)

Oklahoma offers full- and half-day programming to all four-year-olds through the Early Childhood Four-Year-Old Program (EC4). The Oklahoma Department of Education administers EC4 through the state's school finance formula. Public schools, including charter schools, receive EC4 funding and can partner with child care centers, Head Start centers, and community-based programs to offer pre-K services.

Charter schools in Oklahoma

Oklahoma permits start-up and conversion charter schools. State law allows local school districts, technology center school districts, comprehensive or regional institutions that are part of the state system of higher education, federally recognized Indian tribes, the state board of education, and the statewide virtual charter board to serve as authorizers.¹ In practice, four local school districts, the University of Oklahoma, Langston University, and the Cherokee Nation serve as authorizers.²

Process for Accessing Pre-K Funds

School districts and charter schools receive EC4 funding through the school finance formula. If a charter applicant wishes to serve pre-K, it must include pre-K in its charter application. A charter school approved to offer pre-K can count pre-K students toward its enrollment for state funding purposes.

Funding amounts through the school funding formula are determined by the age of the child and the duration of the program day (ranging from 70 percent of the per-pupil funding for part-day preschoolers to 130 percent of the amount for full-day preschoolers). Charter school pre-K funding flows from the state to the charter school's authorizer, which can take up to 5 percent of the funding for administrative costs before remitting the remainder to the school.³



TOTAL SCORE

46/50

Oklahoma's climate for charter schools to offer pre-K is **hospitable**

- + There are no state statutory or regulatory barriers to charter schools accessing state funding for pre-K.
- + Compared to K-12 funding levels, pre-K program funding is sufficient to attract charters.
- + The size of the pre-K program does not limit charter access to funding.
- + The funding, application, and approval processes do not create barriers to charter access.
- + Automatic enrollment from charter pre-K to kindergarten is not prohibited in legislation or practice.

Barriers

Are there any statutory or regulatory barriers to charter schools accessing state funding for pre-K?

 **No.** Oklahoma’s charter law explicitly allows charter schools to offer pre-K. The legislation states that charter schools may provide “a comprehensive program of instruction for a pre-Kindergarten program, a kindergarten program or any grade between grades one and twelve.”⁴ The EC4 legislation, however, does not explicitly list charter schools as eligible providers.

At least seven charter schools in Oklahoma offer pre-K. All of these schools receive state funding through EC4.

Is the funding level of the state pre-K program a barrier to charter access?

 **No.** The funding level is not a barrier to charters offering pre-K. As mentioned earlier, charter schools that offer half-day EC4 services receive 70 percent of the per-pupil funding amount that charters receive to serve full-day K–12 students. Charter schools that offer full-day EC4 receive 130 percent of the K–12 per-pupil funding amount.

Is the size of the state pre-K program a barrier to charter access?

 **No.** The size of the program is not a barrier to charters accessing state pre-K funds. The program serves about 74 percent of all four-year-olds in the state.

Is the application, approval, and/or funding process a barrier to charter access?

 **No.** The application, approval, and funding processes are not barriers to charter access.

Is automatic enrollment from pre-K to kindergarten prohibited in legislation or practice?

 **No.** Charter schools that offer EC4 can automatically enroll their pre-K students into their kindergarten program.

Recommendations

Oklahoma’s existing policies do not currently present any barriers to charter schools’ ability to serve preschoolers or access state funding for pre-K.

	Early Childhood Four-Year-Old Program (EC4)	Charter schools in Oklahoma
Year created	Launched in 1980 ⁵	Charter law enacted in 1999 ⁶
Children in state	104,874 three- and four-year-olds in Oklahoma ⁷	767,190 school-age children in Oklahoma ⁸
Children served	40,823 children served 0 percent of three-year-olds 74 percent of four-year-olds ^{9,10}	16,137 students served 2.1 percent of school-age population Twenty-nine charter schools ¹¹
Charters offering pre-K	Seven charter schools in Oklahoma offer pre-K. ^{12,13}	Twelve charter schools in Oklahoma offer elementary programs. ¹⁴
Funding	Districts receive \$2,332 per pupil to offer EC4.	Charter schools receive \$3,082 to serve K–12 students.



Endnotes

- 1 National Alliance for Public Charter Schools (NAPCS), “Measuring Up: Oklahoma,” <http://www.publiccharters.org/get-the-facts/law-database/states/OK/>.
- 2 National Association of Charter School Authorizers, “Oklahoma Charter Authorizers,” <http://www.qualitycharters.org/authorizer-comparison/state-by-state-overviews-oklahoma.html>.
- 3 Interview with ODE representative, January 9, 2015.
- 4 Oklahoma.gov, “Oklahoma Charter Schools Act,” <http://ok.gov/sde/sites/ok.gov.sde/files/documents/files/CharterSchAct.pdf>.
- 5 W. Steven Barnett et al., “The State of Preschool 2013: State Preschool Yearbook” (New Brunswick, NJ: National Institute for Early Education Research, 2013), <http://nieer.org/sites/nieer/files/yearbook2013.pdf>.
- 6 NAPCS, “Measuring Up: Oklahoma.”
- 7 State population data calculated using ACS 2012 five-year estimates; U.S. Census Bureau, “American Community Survey,” www.census.gov/acs.
- 8 Ibid., all children in households, three to seventeen years old .
- 9 W. Steven Barnett et al., “The State of Preschool 2013.”
- 10 Interview with ODE representative, January 9, 2015.
- 11 “NAPCS, “Measuring Up: Oklahoma.”
- 12 Oklahoma State Department of Education, “Current Charter Schools of Oklahoma,” <http://www.ok.gov/sde/current-charter>.
- 13 Examples: John Rex Charter Elementary School (<http://johnrexschool.org>), Santa Fe South (<http://www.santafesouth.org>), Tulsa Lighthouse Charter School: North Campus (<http://www.lighthouse-academies.org/schools/tlcs/>), and Tsunadeloquasdi Cherokee Immersion Charter School (<http://www.cherokee.org/Services/Education/ImmersionSchool.aspx>).
- 14 Oklahoma State Department of Education, “Current Charter Schools of Oklahoma,” <http://www.ok.gov/sde/current-charter>.

Pennsylvania

Background

Pennsylvania Pre-K Counts

Pennsylvania funds a variety of early childhood programs and categorical grants, such as the Ready to Learn Grant, a block grant that districts and charters can use to fund preschool and a range of other early childhood and early elementary programs. Pre-K Counts, however, is the primary state-funded pre-K initiative.

Pre-K Counts supports half- or full-day pre-K for at-risk children in the two years prior to kindergarten entry. The primary eligibility criterion is income: Families that earn less than 300 percent of the federal poverty level are eligible.¹ Current funding levels allow the program to serve only a fraction of eligible children. Providers are required to develop additional selection criteria, determined locally, to help prioritize enrollment to serve the highest-need children.

The Pennsylvania Department of Education (PDE) administers Pre-K Counts as a competitive grant program. School districts, licensed nursery schools, Head Start grantees, and child care centers or group child care homes rated at one of the highest two levels of the state's KeystoneSTARS quality rating and improvement system (QRIS) are eligible Pre-K Counts providers.² Charter schools can only offer pre-K through an affiliated program.³

Charter schools in Pennsylvania

The state permits start-up and conversion charter schools. Local school boards and the Pennsylvania Department of Education serve as authorizers, with the latter exclusively responsible for virtual charter schools. Brick-and-mortar schools must be authorized by the local school board. An applicant denied by a local school board may appeal to a state appeals board.⁴

Process for Accessing Pre-K Funds

Eligible providers apply to offer the Pre-K Counts program through a competitive grant process administered by PDE. Grants last for five years but must be renewed annually.⁵ New applicants can access Pre-K Counts funding only during the competitive first year of a funding cycle, or when new funding is added to the program.⁶ Providers cannot become grantees outside of this process, although existing grantees can subcontract with other providers to offer Pre-K Counts services at any time.



TOTAL SCORE

5/50

Pennsylvania's climate for charter schools to offer pre-K is **not hospitable**

- There are state statutory or regulatory barriers to charter schools accessing state funding for pre-K.
- Compared to K–12 funding levels, low pre-K program funding makes offering pre-K less attractive to charters.
- The size of the pre-K program limits charter access to funding.
- The funding, application, or approval process creates a barrier to charter access.
- + Automatic enrollment from charter pre-K to kindergarten is not prohibited in legislation or practice.



Pre-K Counts funding is awarded to the applicants that receive the highest scores on PDE's application rubric. Existing providers in good standing receive additional points in the rubric. Despite this advantage, new providers sometimes compete successfully for funding over existing providers.

Barriers

Are there any statutory or regulatory barriers to charter schools accessing state funding for pre-K?

 **Yes.** Pennsylvania's charter school legislation neither permits nor prevents charter schools from offering pre-K. The Pre-K Counts legislation does not list charters as an eligible provider type; thus, the state has determined that charter schools cannot apply for Pre-K Counts funding. The entity operating a charter school may obtain Pre-K Counts funding as another type of eligible provider, such as a federal Head Start provider, licensed child care provider, or licensed nursery school. To do so, the charter school must create an affiliated pre-K program that meets additional facility and programmatic requirements applicable to licensed child care providers or licensed nursery schools.

Very few charter schools in Pennsylvania offer pre-K, and those that do so obtain funding through one-off arrangements with their authorizing district, not through formal funding mechanisms in state law or policy.

Is the funding level of the state pre-K program a barrier to charter access?

 **Yes.** Low pre-K program funding, compared to K-12 funding levels, makes pre-K less attractive to charters. Charter schools that offer half-day Pre-K Counts services through an affiliated program receive 31 percent of the per-pupil funding amount that charters receive to serve full-day K-12 students. Charter schools that operate full-day affiliated programs receive 63 percent of the per-pupil amount for K-12 students.

Is the size of the state pre-K program a barrier to charter access?

 **Yes.** The size of the program is a barrier to charters accessing state pre-K funds. The program only serves 5 percent of all four-year-olds in the state.

Is the application, approval, and/or funding process a barrier to charter access?

 **Yes.** The funding process is a barrier to charter access. The Pre-K Counts grant process awards additional points to current grantees, which may put new providers at a disadvantage in applying for funding.

Is automatic enrollment from pre-K to kindergarten prohibited in legislation or practice?

 **No.** State legislation does not explicitly allow charters to grant enrollment preference to their pre-K students, but it is permitted in certain charter schools that have arrangements with their districts.

Are there any other barriers to charter access?

 **Yes.** Some Pennsylvania charter schools are also unable to access per-pupil funds for kindergarten. Pennsylvania does not require school districts to fund kindergarten, and charter schools located in districts that do not offer kindergarten are not entitled to per-pupil funds for kindergarteners.

Recommendations

Few Pennsylvania charter schools will be able to access pre-K funding as long as Pre-K Counts remains funded at the current levels. Pennsylvania could, however, take the following steps to allow Pennsylvania charter schools to access Pre-K Counts funds on an equitable basis with other providers in the state:

- Revise the Pre-K Counts legislation to include charter schools as an eligible provider.
- Release guidance allowing charter schools to compete for Pre-K Counts funding.
- Enact explicit policies to permit charter schools that receive public funding for pre-K to grant an enrollment preference to pre-K students served with public funds.



	Pennsylvania Pre-K Counts	Charter schools in Pennsylvania
Year Created	Launched in 2007	Charter law enacted in 1997
Children in state	299,884 three- and four-year-olds in Pennsylvania ⁷	2,346,444 school-age children in Pennsylvania ⁸
Children served	11,391 children served 3 percent of three-year-olds 5 percent of four-year-olds	130,842 students enrolled in charters 5.6 percent of school-age population 176 charters
Charter schools	Five charter schools in Pennsylvania offer pre-K or four-year-old kindergarten. ⁹ No charter schools offer Pre-K Counts.	111 charter schools in Pennsylvania offer elementary programs. ¹⁰
Funding	Pre-K Counts grantees receive \$7,260–\$7,860 (full day) or \$3,630–\$3,910 (half day). ¹¹	Charter schools receive \$12,495 per pupil to serve K–12. ¹²

Endnotes

1 Pennsylvania Department of Education, “Pre-K Counts,” 2015, http://www.portal.state.pa.us/portal/server.pt/community/pre_k_counts/8742.

2 Pennsylvania Early Learning Keys to Quality, “Early Childhood Programs,” April 13, 2015, http://www.pakeys.org/pages/get.aspx?page=Programs_PreK_Apply.

3 An affiliated pre-K program is one that a charter school operates through a separate, but affiliated, entity or organization.

4 “National Alliance for Public Charter Schools (NAPCS), “Measuring Up: Pennsylvania,” <http://www.publiccharters.org/get-the-facts/law-database/states/PA/>.

5 Pennsylvania Early Learning Keys to Quality, “Early Childhood Programs.”

6 “Pre-K Counts Application Guidance,” 9; provided by representative of Office of Child Development and Early Learning in December 2014.

7 State population data calculated using ACS 2012 five-year estimates; U.S. Census Bureau, “American Community Survey,” www.census.gov/acs.

8 Ibid., all children in households, three to seventeen years old.

9 Pennsylvania Department of Education, “Charter School Annual Reports and Enrollment Data,” http://www.portal.state.pa.us/portal/server.pt/community/annual_reports_and_enrollment_data/7357.

10 Center for Education Reform, “Find a Charter School,” https://www.edreform.com/in-the-states/know-your-choices/find-a-charter-school/?filter%5Bname%5D=&filter%5Bcity%5D=&filter%5Bstate%5D=PA&filter%5Bgrade%5D=&filter%5Bgrades_categories%5D=&filter%5Bspecialty%5D=.

11 “Pre-K Counts Application Guidance,” 7. No charter schools receive this funding. Charter schools that offer pre-K and K–4 use different funding sources.

12 Jay F. May et al., “Charter School Funding: Inequality Expands,” Pennsylvania section (Fayetteville, AR: University of Arkansas Department of Education Reform, School Choice Demonstration Project, April 2014), <http://www.uaedreform.org/wp-content/uploads/2014/charter-funding-inequity-expands-pa.pdf>.

Rhode Island

Background

Pre-Kindergarten (PreK) Program

Rhode Island offers full-day pre-K to a limited number of students through its state Pre-Kindergarten Program (PreK). The program is open to all four-year-olds who live in an eligible community, primarily based on the percentage of students eligible for free and reduced-price meals. The state does not yet fund sufficient spaces to serve all eligible students, so eligible students are enrolled through a lottery system.¹

The Rhode Island Department of Education (RIDE) administers PreK as a competitive grant program. Public schools, private child care, and Head Start programs are eligible to apply to offer the program. Charter schools are also eligible to offer PreK.

Charter schools in Rhode Island

There are three types of charter schools in Rhode Island:

- District charter schools can be established by school districts, traditional public schools, or district personnel. A district charter school may be a new school or a conversion of an existing school.
- Independent charter schools are new charter schools. They may only be created by Rhode Island colleges or universities or Rhode Island nonprofit organizations that have existed for at least two years.
- Mayoral academies are charter schools created by a mayor of any city or town within the State of Rhode Island, acting by or through a nonprofit organization.²

The Rhode Island State Board of Education is the only charter authorizer in Rhode Island. The state commissioner of elementary and secondary education recommends a charter applicant prior to it being authorized by the state board.³

Process for Accessing Pre-K Funds

Potential PreK providers apply through a competitive Request for Proposals process, which RIDE administers when there are new or re-competed slots.⁴ Selected grantees receive a three-year contract, at the end of which another competition is held. Only providers in selected communities are eligible to apply for PreK funding.



TOTAL SCORE

31/50

Rhode Island's climate for charter schools to offer pre-K is **somewhat hospitable**

- + There are no state statutory or regulatory barriers to charter schools accessing state funding for pre-K.
- + Compared to K-12 funding levels, pre-K program funding is sufficient to attract charters.
- The size of the pre-K program limits charter access to funding.
- The funding, application, or approval process creates a barrier to charter access.
- + Automatic enrollment from charter pre-K to kindergarten is not prohibited in legislation or practice.



Barriers

Are there any statutory or regulatory barriers to charter schools accessing state funding for pre-K?

+ **No.** The Rhode Island charter legislation explicitly states that a charter public school “may include any grade up to grade twelve (12) or any configuration of those grades, including kindergarten and prekindergarten.” The PreK legislation does not list charters as a potential provider. However, since charter schools are public LEAs in Rhode Island, pre-K legislation enables charters to run pre-K programs, if authorized to do so in their charter.⁵

No charter schools in Rhode Island currently offer pre-K using state PreK funding.⁶

Is the funding level of the state pre-K program a barrier to charter access?

+ **No.** The funding level is not a barrier to charters offering pre-K in Rhode Island. If a charter school were to offer Rhode Island PreK, they would receive at least 79 percent of the per-pupil funding amount that charters receive to serve full-day K-12 students.

Is the size of the state pre-K program a barrier to charter access?

- **Yes.** The size of the program is a barrier to charters accessing state pre-K funds. The program only serves 1 percent of all four-year-olds in the state.

Is the application, approval, and/or funding process a barrier to charter access?

- **Yes.** The application process is a barrier to charter access. Only providers in selected communities are eligible to apply for PreK funding. Even in communities where providers are eligible to apply for funding, none currently access funding.

Is automatic enrollment from pre-K to kindergarten prohibited in legislation or practice?

+ **No.** According to state legislation, each charter school can determine its own enrollment preferences. If a charter school offers pre-K, it can give enrollment preference to children enrolled in the pre-K program, the same as any continuing student in its school.

Recommendations

Rhode Island is currently implementing a ten-year pre-K expansion plan, which will provide state pre-K to 1,080 children by fall 2019.⁷ As Rhode Island expands the number of pre-K slots, it should take the following steps to include charter schools in its pre-K program:

- Improve coordination within the Rhode Island Department of Education between the staff who carry out RIDE’s charter-authorizing responsibilities and the staff who administer the pre-K program, thus ensuring that charter authorizers have a role in making decisions about whether to fund charter-operated pre-K programs and monitoring their quality if approved.
- Ensure state outreach efforts to new providers include charter schools.



	Pre-Kindergarten Program (PreK)	Charter schools in Rhode Island
Year created	Launched in 2009 ⁸	Charter law enacted in 1995 ⁹
Children in state	24,361 three- and four-year-olds ¹⁰	189,575 school-age children ¹¹
Children served	306 children served 0 percent of three-year-olds 1 percent of four-year-olds ¹²	6,434 students served 3.3 percent of school-age children Twenty-five charter schools ¹³
Charters offering pre-K	One charter school in Rhode Island offers pre-K. ¹⁴	Twelve charter schools in Rhode Island offer elementary programs. ¹⁵
Funding	PreK providers receive \$9,278 per pupil. ¹⁶	Charter schools receive between \$2,301 and \$11,705 per pupil for K–12. ¹⁷

Endnotes

1 Rhode Island Department of Education (RIDE), “Early Childhood Education Programs,” 2015, <http://www.ride.ri.gov/InstructionAssessment/EarlyChildhoodEducation/Programs/tabid/421/LiveTabId/13020/Default.aspx#applications>.

2 RIDE, Office of Charter Schools, “Rhode Island Charter Public Schools: Frequently Asked Questions (FAQs),” <http://www.ride.ri.gov/Portals/0/Uploads/Documents/Students-and-Families-Great-Schools/Charter-Schools/FAQs.pdf>.

3 National Alliance for Public Charter Schools (NAPCS), “Measuring Up: Rhode Island,” <http://www.publiccharters.org/get-the-facts/law-database/states/RI/>.

4 RIDE, “State Prekindergarten Question and Answer Sheet, 2013–2014,” http://www.ride.ri.gov/Portals/0/Uploads/Documents/Instruction-and-Assessment-World-Class-Standards/Early-Childhood/Programs/2013-14_State_PreK_FAQs.pdf.

5 Interview with RIDE representative, October 16, 2014.

6 RIDE, “2014–2015 State Pre-Kindergarten Programs: Open House Dates and Times,” http://www.ride.ri.gov/Portals/0/Uploads/Documents/Instruction-and-Assessment-World-Class-Standards/Early-Childhood/Programs/Pre-K_Program_Open_House_Schedule.pdf.

7 Interview with RIDE representative, October 16, 2014.

8 W. Steven Barnett et al., “The State of Preschool 2013: State Preschool Yearbook” (New Brunswick, NJ: National Institute for Early Education Research, 2013), <http://nieer.org/sites/nieer/files/yearbook2013.pdf>.

9 NAPCS, “Measuring Up.”

10 State population data calculated using ACS 2012 five-year estimates; U.S. Census Bureau, “American Community Survey,” www.census.gov/acs.

11 Ibid., all children in households, three to seventeen years old.

12 W. Steven Barnett et al., “The State of Preschool 2013.”

13 NAPCS, “Measuring Up.”

14 Interview with RIDE representative, October 16, 2014.

15 RIDE, “Rhode Island’s Charter Schools,” 2015, <http://www.ride.ri.gov/studentsfamilies/ripublicschools/charterschools.aspx#19771-list-of-charter-schools>.

16 Interview with RIDE representative, October 16, 2014.

17 RIDE, “FY 2015 Final Formula Calculations,” 2014, <http://www.ride.ri.gov/Portals/0/Uploads/Documents/Funding-and-Finance-Wise-Investments/Funding-Sources/State-Education-Aid-Funding-Formula/FY-2015-Formula-Calculations-FINAL-6-16-14.pdf>.

South Carolina



Background

South Carolina offers two state-funded pre-K programs: the Half-Day Child Development Program, also known as 4K, and the Child Development Education Program (CDEP).

Half-Day Child Development Program (4K)

4K is a half-day pre-K program administered by the South Carolina Department of Education. Only school districts are eligible for 4K funding, but they may subcontract with approved groups or agencies to provide all or part of the program.¹ The department awards funding to school districts based on the number of kindergarteners in the district that were eligible for free or reduced-price lunch during the previous year.²

School districts set their own eligibility requirements for children to participate in 4K programs, but they must be based in part on the list of state-determined risk factors, which include low income, homelessness, parent incarceration, or parents with low educational attainment.³

Child Development Education Program (CDEP)

CDEP is a full-day voucher program offered to students in school districts that have a poverty index of 70 percent or higher.⁴ Four-year-olds who qualify for free- or reduced-price lunch or Medicaid and reside in one of the participating school districts are eligible for CDEP funding.⁵ Sixty-one districts out of eighty-nine districts in the state are eligible for CDEP.⁶ Participating children may use their CDEP reimbursement at any public school, charter school, or private CDEP provider, regardless of where the provider is located.

The South Carolina Department of Education administers the program for public school providers. The Office of First Steps administers the program for private and community-based providers.⁷

Charter schools in South Carolina

South Carolina's charter law allows for start-up and conversion charter schools. Local school districts, the South Carolina Public Charter School District (SCPCSD), and public or independent institutions of higher education registered with the state's department of education can serve as charter school authorizers. Fifteen school districts and the SCPCSD currently authorize charter schools; there are no active higher-education authorizers in South Carolina. Before submitting proposals to these authorizers, all applicants must first have their applications approved by the state charter school advisory committee.⁸



TOTAL SCORE

31/50

South Carolina's climate for charter schools to offer pre-K is **somewhat hospitable***

- + There are no state statutory or regulatory barriers to charter schools accessing state funding for pre-K.
- Compared to K-12 funding levels, low pre-K program funding makes offering pre-K less attractive to charters.
- + The size of the pre-K program does not limit charter access to funding.
- The funding, application, or approval process creates a barrier to charter access.
- + Automatic enrollment from charter pre-K to kindergarten is not prohibited in legislation or practice.

** South Carolina's score is based on its Half-Day Child Development Program (4K), rather than the Child Development Education Program (CDEP), because the former is the larger program in the state.*



Process for Accessing Pre-K Funds

Charter schools are eligible to receive 4K slots from their authorizer, whether district or SCPCSD. The state allots each school district, including the SCPCSD, 4K slots based on the number of kindergarteners eligible for free or reduced-price lunch. Districts either disburse 4K slots to schools in the district, including charter schools, or subcontract with outside providers. Each district decides how to allocate funding and slots between existing schools and community-based providers, and may or may not include charter schools in slot allocation. The state also distributes funding to SCPCSD, which then allocates funding to charter schools that it authorizes.

Charter schools, regardless of their authorizer, can also apply to be a CDEP provider. Any public or private provider can apply to be a CDEP provider as long as they are able to serve students from eligible school districts. School districts and charter schools apply through the South Carolina Department of Education; private providers apply through the Office of First Steps.⁹ Approved providers receive CDEP funding for each eligible student they serve (students who reside in one of the participating school districts and who qualify for Medicaid or free or reduced-price lunch).

Barriers

There are two state-funded pre-K programs in South Carolina. The barriers section addresses both 4K and CDEP because charters access funding through both programs, whether directly or through an affiliated pre-K program.

Are there any statutory or regulatory barriers to charter schools accessing state funding for pre-K?

+ **No.** Neither the charter school nor the pre-K legislation in South Carolina specifically addresses whether charter schools may offer pre-K. The state allows charter schools to receive 4K funds from their authorizer and to apply directly to the state for CDEP funding.

Six charter schools in the state offer pre-K. Several of them offer pre-K through 4K funding; at least one currently accesses CDEP funding. Three of those charter schools are authorized by the SCPCSD. The other three are authorized by local school districts.

Is the funding level of the state pre-K program a barrier to charter access?

- **4K: Yes.** 4K provides funding as a grant based on district enrollment of low-income kindergarteners, not on a per-pupil basis. But state 4K funds per child served average only \$1,300 per child—less than 15 percent of the funds that charters receive per child for K–12 students.

- **CDEP: Yes.** Low pre-K program funding, compared to K–12 funding levels, makes pre-K less attractive to charters. A staff member at the South Carolina Public Charter School District said that low funding is the main reason more charter schools do not offer pre-K. Although CDEP is a full-day program, charter schools that offer CDEP receive 46 percent of the per-pupil funding amount that charter schools receive to serve K–12 students.

Is the size of the state pre-K program a barrier to charter access?

+ **4K: No.** The size of the program is not a barrier to charters accessing 4K funds. The program serves about 31 percent of all four-year-olds in the state.

- **CDEP: Yes.** The small size of the program is a barrier to charters accessing CDEP funds. The program serves about 9 percent of all four-year-olds in the state.

Is the application, approval, and/or funding process a barrier to charter access?

- **4K: Yes.** The funding process is a barrier for charters authorized by districts to access 4K funding. Charter schools that are authorized by districts can access 4K funds only if the district decides to allocate some of its 4K allocation to the charter school. Charter schools authorized by SCPCSD do not face the same barriers to funding, although SCPCSD's ability to award 4K funds is limited by the pool of funding that it receives from the state.

- **CDEP: Yes.** The funding process is a barrier for charter access to CDEP funding. Only seventeen elementary charter schools (about half in the state) are located in CDEP districts. Charter schools that are CDEP providers can be located anywhere in the state, but they are more likely to become a CDEP provider if there is a concentration of eligible children nearby. Further, CDEP appears to be designed to enable low-income children to access spaces in tuition-based preschool programs. So charter schools may be unwilling to offer those programs due to federal guidance limiting charters' ability to enroll children from tuition-based programs directly in kindergarten. In addition, the CDEP revenue stream is



unpredictable because charters receive funding only for CDEP-eligible children they attract.

Is automatic enrollment from pre-K to kindergarten prohibited in legislation or practice?

+ **No.** If a charter school has pre-K included in its charter, students who complete pre-K at that school may directly enroll in the school’s kindergarten program.

Recommendations

To address these barriers to charter access, the state should:

- Increase the pupil funding/reimbursement amount for 4K and CDEP funding to cover the cost of delivering a high-quality program.
- Fund charter schools equitably at the K–12 level. The state offers traditional public schools nearly 22 percent more funding than it offers charter schools, per pupil, to serve K–12 students. This difference in K–12 funding makes it more difficult for charter schools to compensate for low pre-K funding levels.
- Require districts that authorize charter schools and receive 4K funding to include charter schools on an equitable basis in deciding how to allocate pre-K slots to schools and community-based providers in the district.

	Half-Day Child Development Program (4K)	Child Development Education Program (CDEP)	Charter schools in South Carolina
Year created	Launched in 1998 ¹⁰	Launched in 2006 ¹¹	Charter law enacted in 1996 ¹²
Children in state	125,141 three- and four-year-olds in South Carolina ¹³		899,679 school-age children in South Carolina ¹⁴
Children served	21,694 children served 4 percent of three-year-olds 31 percent of four-year-olds ¹⁵	5,783 children served 0 percent of three-year-olds 9 percent of four-year-olds ¹⁶	22,384 students served 2.5 percent of school-age population Fifty-nine charter schools ¹⁷
Charters offering pre-K	Six charter schools in South Carolina offer pre-K. ^{18,19}		Thirty-three charter schools in South Carolina serve elementary grades.
Funding	Districts receive 4K funds based on a funding formula. In 2014, the funding range was between \$94,852 and \$2,489,869 per district. ²⁰	Providers receive \$4,218 per pupil to offer CDREP.	Charter schools receive \$9,082 per pupil to serve K–12 students. ²¹



Endnotes

- 1 South Carolina Department of Education, “Half-Day Child Development Programs,” June 27, 2003, <https://ed.sc.gov/agency/stateboard/documents/264-1.pdf>.
- 2 South Carolina Legislature, “4K Proviso,” http://www.scstatehouse.gov/archives/committeinfo/K12FundingSelectCommittee/October192010Meeting/4_4K%20Proviso%201A35%20and%201A49.pdf.
- 3 Molly Griggs, “Public 4K in South Carolina: An Overview of Existing Programs and Considerations for Decision Makers” (Greenville, SC: Institute for Child Success), https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&ved=0CB8QFjAA&url=http%3A%2F%2Fwww.instituteforchildsuccess.org%2Fmydocuments%2F4k_issue_brief_electronic.pdf&ei=sOFoVdrwHofmsAT4y4BY&usq=AFQjCNHhbO5kECyEoOaJTO3O3go8SjRnRg&bvm=bv.94455598,d.cWc.
- 4 The state determines, based on the poverty index, which districts are eligible for CDEP. The poverty index is defined as eligible for free or reduced-price lunch and/or Medicaid.
- 5 South Carolina Department of Education, “Guidelines for Read to Succeed Implementation and Program Approval in Education Preparation Programs Leading to Initial Licensure,” December 29, 2014, <https://ed.sc.gov/agency/ie/School-Transformation/Read-to-Succeed/documents/201four-2015CDEPPGuidelinesFinal.pdf>.
- 6 First Steps South Carolina, “First Steps Four-Year-Old Kindergarten,” <http://scfirststeps.org/4k/>.
- 7 First Steps South Carolina, “First Steps 4K: Information for Preschool Providers,” 2015, <http://scfirststeps.org/first-steps-4k-provider/>.
- 8 National Alliance for Public Charter Schools (NAPCS), “Measuring Up: South Carolina,” <http://www.publiccharters.org/get-the-facts/law-database/status/SC/>.
- 9 South Carolina Department of Education, “South Carolina Child Development Education Program, 2014–2015 Public School Guidelines,” July 2014, <https://ed.sc.gov/agency/ie/School-Transformation/Read-to-Succeed/documents/2014-2015CDEPPGuidelinesFinal.pdf>.
- 10 W. Steven Barnett et al., “The State of Preschool 2013: State Preschool Yearbook” (New Brunswick, NJ: National Institute for Early Education Research, 2013), <http://nieer.org/sites/nieer/files/yearbook2013.pdf>.
- 11 Ibid.
- 12 NAPCS, “Measuring Up: South Carolina.”
- 13 State population data calculated using ACS 2012 five-year estimates; U.S. Census Bureau, “American Community Survey,” www.census.gov/acs.
- 14 Ibid., all children in households, three to seventeen years old.
- 15 W. Steven Barnett et al., “The State of Preschool 2013.”
- 16 Ibid.
- 17 NAPCS, “Measuring Up: South Carolina.”
- 18 South Carolina Public Charter School District, school information page, <http://www.sccharter.org/?DivisionID=12726>.
- 19 Examples: Charleston Development Academy (<http://developmentacademy.ccsdschools.com>), D. P. Cooper Charter School (<http://www.dpcoopercharter.com>), and Quest Leadership Academy (<http://www.questleadershipacademy.org>).
- 20 South Carolina Legislature, “4K Proviso.” Funding figures derived from interviews with the South Carolina Department of Education. The funding for the 4K program is awarded via the Education Improvement Act to districts based on the number of kindergarteners eligible for free and reduced-price lunch during the previous year, but not less than 90 percent of the amount it received in the prior fiscal year.
- 21 Jay F. May et al., “Charter School Funding: Inequality Expands,” South Carolina section (Fayetteville, AR: University of Arkansas Department of Education Reform, School Choice Demonstration Project, April 2014), <http://www.uaedreform.org/wp-content/uploads/2014/charter-funding-inequity-expands-sc.pdf>.

Tennessee

Background

Tennessee Voluntary Pre-K (VPK)

Tennessee has provided state funds for pre-K programs since the 1990s, but the Tennessee Voluntary Pre-K (VPK) program has been the primary funding source for pre-K since 2005. Tennessee's VPK program offers full-day pre-K to three- and four-year-olds. Districts that receive pre-K funds must enroll students based on order of priority:

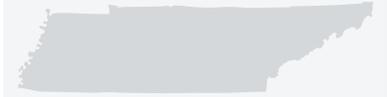
- Tier 1: Economically disadvantaged students.
- Tier 2: Students with disabilities, who are in state custody, who experienced abuse or neglect, or who are English language learners.
- Tier 3: All other students.

Tier 3 students may only enroll if there are remaining slots after all Tier 1 and Tier 2 students are served.¹ Currently, only about 30 percent of Tier 1 students are served, though this ranges dramatically by district and region.²

The Tennessee Department of Education (TDOE) distributes VPK funding to counties on a formula basis. Districts that receive funding may contract with private child care agencies, Head Start agencies, institutions of higher education, or public housing authorities to provide services. Districts may also contract with any other community-based or private providers that have lead teachers licensed in early childhood education and that receive three-star ratings on Tennessee's Star Quality program.³ Charter schools can offer VPK if they contract with a district that receives funding.

Charter schools in Tennessee

Tennessee charter law allows start-up and conversion charter schools. Local school boards, Tennessee's Achievement School District (ASD), and the state board of education may serve as authorizers in Tennessee. Currently, only three local school districts—Hamilton County, Shelby County, and Metropolitan Nashville Public Schools—authorize charter schools. The Achievement School District authorizes charter schools statewide in areas with chronically low-performing schools.⁴



TOTAL SCORE

33/50

Tennessee's climate for charter schools to offer pre-K is **somewhat hospitable**

- + There are no state statutory or regulatory barriers to charter schools accessing state funding for pre-K.
- Compared to K-12 funding levels, low pre-K program funding makes offering pre-K less attractive to charters.
- + The size of the pre-K program does not limit charter access to funding.
- The funding, application, or approval process creates a barrier to charter access.
- + Automatic enrollment from charter pre-K to kindergarten is not prohibited in legislation or practice.



Process for Accessing Pre-K Funds

The Tennessee Department of Education (TDOE) allocated VPK funding to districts through a competitive grant application process in school years 2006–2008, when new funds were available. Funding was awarded based on need and distributed across regions of the state. Since there has been no new funding since the 2007–2008 school year, classroom allocations per districts have remained unchanged since that time. Charter schools can only receive pre-K funding if their authorizer decides to allocate funding to them.

The TDOE awards VPK funding on a per-classroom, rather than per-pupil, basis. All participating school districts receive between \$75,000 and \$110,000 per classroom, depending on the district's education funding formula.

Barriers

Are there any statutory or regulatory barriers to charter schools accessing state funding for pre-K?

+ **No.** Tennessee charter school legislation does not explicitly permit charter schools to offer pre-K, and the VPK legislation does not explicitly list charter schools as potential subcontractors. The TDOE does, however, allow school districts to subcontract with charter schools to offer VPK.

Currently, the ASD is the only Tennessee school district in which charter schools offer pre-K. Nine ASD charter schools currently offer pre-K, though all of them subcontract with Porter-Leath, a community provider, to do so. The ASD received funding for some VPK classrooms directly from the state and received funding for additional classrooms when it assumed control of low-performing schools that had previously received VPK funds from the Shelby County School District.

Is the funding level of the state pre-K program a barrier to charter access?

– **Yes.** Low pre-K program funding, compared to K–12 funding levels, makes pre-K less attractive to charters. Although VPK is a full school-day program, charter schools that offer VPK receive between 30 percent and 50 percent of the per-pupil funding amount that they receive to serve K–12 students.

Is the size of the state pre-K program a barrier to charter access?

+ **No.** The size of the program is not a barrier to charters accessing state pre-K funds. The program serves more than 20 percent of all four-year-olds in the state.

Is the application, approval, and/or funding process a barrier to charter access?

– **Yes.** The funding process is a barrier. Charter schools can only access VPK funding through the school district in which they are located, or through the ASD if it is their authorizer. This has proven a barrier to charter schools offering pre-K, because districts other than ASD have chosen not to make pre-K funding available to charter schools.

Is automatic enrollment from pre-K to kindergarten prohibited in legislation or practice?

+ **No.** According to the state charter school legislation, charter schools can grant enrollment preference to children from other charter schools with whom the charter school has an articulation agreement or to children from a pre-K program operated by the charter school sponsor.

Recommendations

To address this barrier, Tennessee should:

- Require districts that receive VPK funding and authorize charter schools to include charter schools on an equitable basis when allocating pre-K slots to schools and community-based providers in the district.
- Require districts to consider new charter petitions that include pre-K.
- Revise the charter school legislation to explicitly permit charter schools to offer pre-K.



	Tennessee Voluntary Pre-K (VPK)	Charter schools in Tennessee
Year created	Launched in 2005 ⁵	Charter law enacted in 2002 ⁶
Children in state	165,835 three- and four-year-olds ⁷	1,249,826 school-age children ⁸
Children served	18,621 children served 1 percent of three-year-olds 21 percent of four-year-olds ⁹	15,533 students served 1.2 percent of school-age children 71 charter schools ¹⁰
Charter offerings in state	At least nine charter schools offer pre-K through VPK.	Twenty-six charter schools offer elementary programs.
Funding	VPK providers receive between \$75,000 and \$110,000 per class of twenty students (between \$3,750 and \$5,500 per pupil).	Charter schools receive \$10,635 per pupil to serve K–12 students. ¹¹

Endnotes

1 Tennessee Department of Education, “Pre-K Information for Parents,” June 6, 2014, http://www.tn.gov/education/early_learning/pre-k_parents.shtml.

2 Interview with charter school operator.

3 Tennessee Department of Human Services, “Child Care – Report Card and Star Quality Program,” <http://www.tennessee.gov/humanserv/adfam/ccrcsq.html>.

4 National Alliance for Public Charter Schools (NAPCS), “Measuring Up: Tennessee,” <http://www.publiccharters.org/get-the-facts/law-database/states/TN/>.

5 W. Steven Barnett et al., “The State of Preschool 2013: State Preschool Yearbook” (New Brunswick, NJ: National Institute for Early Education Research, 2013), <http://nieer.org/sites/nieer/files/yearbook2013.pdf>.

6 NAPCS, “Measuring Up: Tennessee.”

7 State population data calculated using ACS 2012 five-year estimates; U.S. Census Bureau, “American Community Survey,” www.census.gov/acs.

8 Ibid., all children in households, three to seventeen years old.

9 W. Steven Barnett et al., “The State of Preschool 2013.”

10 NAPCS, “Measuring Up: Tennessee.”

11 Larry Maloney et al., “Charter School Funding: Inequality Expands,” Tennessee section (Fayetteville, AR: University of Arkansas Department of Education Reform, School Choice Demonstration Project, April 2014), <http://www.uaedreform.org/wp-content/uploads/2014/charter-funding-inequality-expands-tn.pdf>

Texas

Background

Texas Public School Prekindergarten (PSP)

Texas offers half-day pre-K for at-risk four-year-olds through Public School Prekindergarten (PSP). Children are eligible if they are homeless, qualify for free or reduced-price lunch (185 percent of the federal poverty level), have limited English proficiency, participated in foster care at one time, or have a parent on active military duty or who has been injured or killed on duty. School districts with fifteen or more eligible four-year-olds must offer the program; districts may also offer the program if they identify fifteen or more eligible children who are at least three years old. Funding is administered through the state's Foundation School Program (FSP).

Local education agencies, including charter schools, receive PSP funding through the school funding formula and can subcontract with private child care centers and Head Start operators to provide services. The Texas Education Agency (TEA) administers the Public School Prekindergarten program through the Department of Federal and State Education Policy.

Charter schools in Texas

Texas law allows for four different types of charter schools:

- Home-rule district charter: A traditional local school district that has adopted a charter under which the entire school district operates. Home-rule district charters must be approved by registered voters.
- District campus or campus charters: A charter to operate a new charter campus or a charter program within an existing campus. Campus charters must be approved by the local school district board of trustees.
- Open-enrollment charters: Charters granted to eligible entities—most often 501(c)(3) organizations—by the state board of education.
- College or university charters: Charters that must meet specific academic and operational criteria granted to universities or junior colleges by the state board of education.¹

Most charter schools were created as open-enrollment charters, authorized by the state board of education.² Multiple charter school campuses may be operated under one charter.



TOTAL SCORE

45/50

Texas's climate for charter schools to offer pre-K is **hospitable**

- + There are no state statutory or regulatory barriers to charter schools accessing state funding for pre-K.
- + Compared to K–12 funding levels, pre-K program funding is sufficient to attract charters.
- + The size of the pre-K program does not limit charter access to funding.
- + The funding, application, and approval processes do not create barriers to charter access.
- + Automatic enrollment from charter pre-K to kindergarten is not prohibited in legislation or practice.



Process for Accessing Pre-K Funds

Charter schools interested in offering pre-K apply to their authorizer through the same application process they use to make other changes to their charter (unlike districts, charter schools are not required to offer pre-K). Once a charter school is approved to offer pre-K, it can count pre-K students toward its enrollment in the funding formula.

Charter schools that offer Public School Prekindergarten receive funding directly from the state through the FSP. FSP funding is calculated using aggregate, district-level attendance data, also referred to as average daily attendance (ADA). Both charter schools and districts include prekindergarten enrollment in their ADA calculations, but count PSP students as half-day enrollees and receive half-day FSP funding to serve them. Charter schools can elect to offer full-day PSP programs but must cover the cost of the other half-day through other means.

Only low-income students and those with other state-defined risk factors may be counted in a charter's or district's prekindergarten enrollment count. Charter schools may enroll other children in their pre-K programs but they do not receive state funding for those students.

Barriers

Are there any statutory or regulatory barriers to charter schools accessing state funding for pre-K?

 **No.** Both the state charter law and pre-K legislation allow charter schools to offer pre-K. Unlike districts, charter schools are not required to offer pre-K, even if they operate in communities with more than fifteen eligible students. Nearly two hundred charter school campuses in Texas offer pre-K.

Is the funding level of the state pre-K program a barrier to charter access?

 **No.** The funding level is not a barrier to charters offering pre-K in Texas. Charter schools that offer half-day PSP services receive 75 percent of the per-pupil funding amount that charters receive to serve full-day K-12 students.

Is the size of the state pre-K program a barrier to charter access?

 **No.** The size of the program is not a barrier to charters accessing state pre-K funds. The program serves more than 50 percent of all four-year-olds in the state.

Is the application, approval, and/or funding process a barrier to charter access?

 **No.** The application, approval, and funding processes are not barriers to charter access to state pre-K funding.

Is automatic enrollment from pre-K to kindergarten prohibited in legislation or practice?

 **No.** There is no enrollment preference outlined in Texas legislation. TEA, however, has allowed charter schools that enroll pre-K students via lottery to automatically enroll those students into their kindergarten programs.

However, automatic enrollment creates challenges for some charter schools. Eligibility and enrollment policies differ for pre-K and charter schools. The PSP legislation limits state funding to at-risk children, but the charter school legislation requires that charters enroll students through a lottery that is open to all students. As a result, some Texas charter schools conduct two lotteries: one for the PSP-funded seats and one for tuition-funded pre-K seats. These charter schools then allow both sets of children to automatically enroll in their kindergarten program, while others require students who paid tuition to re-enter the kindergarten lottery.

Are there any other barriers to charter access?

 **Yes.** Authorizer oversight of charter pre-K is weak. Texas has many charter schools serving preschool students. However, it does not appear that the state's major authorizer, the Texas Education Agency, has developed any standards or procedures to monitor the quality or student learning outcomes of charter schools' preschool programs—other than the metrics and standards TEA uses to monitor the quality and outcomes of K-12 schools.

Recommendations

Texas currently has more charter school pre-K programs than any other state, but as noted above, several barriers remain. To address these barriers to charter access, Texas should:

- Establish policies that clarify how charter schools that offer pre-K should enroll PSP-funded and tuition-funded pre-K students.
- Require TEA to develop standards and procedures to monitor the quality of charter school pre-K programs.



	Public School Prekindergarten (PSP)	Charter schools in Texas
Year created	Launched in 1985 ³	Charter law enacted in 1995 ⁴
Children in state	795,737 three- and four-year-olds in Texas ⁵	5,701,748 school-age children in Texas ⁶
Children served	227,176 children served 6 percent of three-year-olds 52 percent of four-year-olds ⁷	253,245 students served 4.4 percent of school-age population 689 charter school campuses ⁸
Charters offering pre-K	195 charter school campuses in Texas offer pre-K. ⁹	364 charter school campuses in Texas offer elementary programs. ¹⁰
Funding	Local education agencies (LEAs), including charter schools, receive \$8,075 per pupil to offer PSP. ¹¹	Charter schools receive \$10,690 per pupil to serve K–12 students. ¹²

Endnotes

1 Texas Charter School Technical Assistance, “Charter Schools: General FAQ,” <http://www.txcharternetwork.org/domain/14#Q5>.

2 National Alliance for Public Charter Schools (NAPCS), “Measuring Up: Texas,” <http://www.publiccharters.org/get-the-facts/law-database/states/TX/>.

3 W. Steven Barnett et al., “The State of Preschool 2013: State Preschool Yearbook” (New Brunswick, NJ: National Institute for Early Education Research, 2013), <http://nieer.org/sites/nieer/files/yearbook2013.pdf>.

4 NAPCS, “Measuring Up: Texas.”

5 State population data calculated using ACS 2012 five-year estimates; U.S. Census Bureau, “American Community Survey,” www.census.gov/acs.

6 Ibid., all children in households, three to seventeen years old.

7 W. Steven Barnett et al., “The State of Preschool 2013.”

8 NAPCS, “Measuring Up: Texas.”

9 Texas Education Agency, “Reports,” <http://mansfield.tea.state.tx.us/TEA.AskTED.Web/Forms/ReportSelection.aspx>.

10 Texas Education Agency, “Map of Texas Charter Schools,” http://www.tea.state.tx.us/index4_wide.aspx?id=25769814767.

11 Interview with Texas Charter Schools Association representative, July 31, 2014. Note: Districts, including charter schools, should receive .5 FTE. In this table, the per-pupil funding for PSP is not .5 of the K–12 per pupil funding because the funding amounts are from different years.

12 Meagan Batdorff et al., “Charter School Funding: Inequality Expands,” Texas section (Fayetteville, AR: University of Arkansas Department of Education Reform, School Choice Demonstration Project, April 2014), <http://www.uaedreform.org/wp-content/uploads/2014/charter-funding-inequity-expands-tx.pdf>.

Virginia

Background

Virginia Preschool Initiative (VPI)

Virginia Preschool Initiative (VPI) offers half- and full-day pre-K for at-risk four-year-olds who are not served by Head Start. Risk factors are determined locally but should be based on economic and educational need.¹

The Virginia Department of Education (VDOE) administers VPI as a formula grant. Only certain local government entities—e.g., school divisions and local departments of social services—are eligible for VPI funding.² Localities that receive VPI funding can subcontract with community providers, including charter schools.

Charter schools in Virginia

Virginia permits start-up and conversion charter schools. Only local school boards are permitted to serve as authorizers in Virginia. For regional charters, multiple boards may work together as an authorizer. All charter applicants must be reviewed by the state board of education before they can apply to the local school board. Under limited circumstances, the state, via the Opportunity Educational Institution Board, may authorize the restructuring of a low-performing traditional public school as a public charter school.³ Currently, only local school boards authorize charter schools in Virginia, and they have approved just six charter schools in the entire state.

Process for Accessing Pre-K Funds

Localities that are interested in offering VPI submit a program proposal application to VDOE. The proposal must demonstrate the lead agency's collaboration with community organizations and develop child eligibility criteria based on the community's definition of "at-risk." Localities must provide a match in local funds in order to be considered for state pre-K funding.

VDOE selects localities based on the quality of the application and determines how much funding to award localities based on the number of at-risk four-year-olds who are not served by Head Start. Localities that are awarded VPI funding determine a local process for subcontracting with community providers, including charter schools.



TOTAL SCORE

25/50

Virginia's climate for charter schools to offer pre-K is **not hospitable**

- + There are no state statutory or regulatory barriers to charter schools accessing state funding for pre-K.
- Compared to K-12 funding levels, low pre-K program funding makes offering pre-K less attractive to charters.
- + The size of the pre-K program does not limit charter access for funding.
- The funding, application, or approval process creates a barrier to charter access.
- Automatic enrollment from charter pre-K to kindergarten is prohibited in legislation or practice.



Barriers

Are there any statutory or regulatory barriers to charter schools accessing state funding for pre-K?

 **No.** Virginia's charter law and pre-K legislation do not directly address whether charter schools are permitted to offer pre-K. In practice, there are only two elementary charter schools in Virginia, and neither school offers pre-K.

Is the funding level of the state pre-K program a barrier to charter access?

 **Yes.** Low pre-K program funding, compared to K-12 funding levels, makes pre-K less attractive to charters. If a charter school offered half-day VPI services, it would receive only 27 percent of the per-pupil funding amount that charters receive to serve full-day K-12 students. If it offered full-day VPI, it would only receive 56 percent of the K-12 funding amount.

Is the size of the state pre-K program a barrier to charter access?

 **No.** The size of the program is not a barrier to charters accessing state pre-K funds. The program serves about 17 percent of all four-year-olds in the state.

Is the application, approval, and/or funding process a barrier to charter access?

 **Yes.** The application process is a barrier to charter access. Charter schools interested in offering VPI can only access funding by contracting with localities that receive VPI funding.

Is automatic enrollment from pre-K to kindergarten prohibited in legislation or practice?

 **Yes.** Charter schools that subcontract with a district to offer VPI are not permitted to grant enrollment preference to pre-K students enrolled in the charter school's pre-K program.

Are there any other barriers to charter access?

 **Yes.** There are few charter schools in the state, due in part to the state's weak charter law. The state's small charter sector limits the degree to which charter schools can serve as pre-K providers in Virginia.

Recommendations

To address these barriers to charter access, the state should:

- Strengthen its charter law to open the state to additional charter schools and explicitly permit charter schools to offer pre-K.
- Require localities that receive VPI funding and have charter schools located in the community to include charter schools on an equitable basis in deciding how to allocate pre-K slots to schools and community-based providers in the district.
- Require local school board authorizers to consider new charter petitions that include pre-K.



	Virginia Preschool Initiative (VPI)	Charter schools in Virginia
Year created	Launched in 1995 ⁴	Charter law enacted in 1998 ⁵
Children in state	207,218 three- and four-year-olds in Virginia ⁶	1,543,443 school-age children in Virginia ⁷
Children served	17,295 children served 0 percent of three-year-olds 17 percent of four-year-olds ⁸	725 students served .05 percent of school-age population Six charter schools ⁹
Charters offering pre-K	No charter schools in Virginia offer pre-K. ¹⁰	Two charter schools in Virginia offer elementary programs. ¹¹
Funding	Districts receive \$3,000 to \$6,000 to offer VPI. ¹²	Charter schools receive \$10,969 per pupil to serve K–12 students. ¹³

Endnotes

1 Virginia Department of Education (VDOE), “Virginia Preschool Initiative: Guidelines for the Preschool Initiative Application 2015–2016,” http://www.doe.virginia.gov/instruction/early_childhood/preschool_initiative/guidelines.pdf, 6.

2 W. Steven Barnett et al., “The State of Preschool 2013: State Preschool Yearbook” (New Brunswick, NJ: National Institute for Early Education Research, 2013), <http://nieer.org/sites/nieer/files/yearbook2013.pdf>.

3 National Alliance for Public Charter Schools (NAPCS), “Measuring Up: Virginia,” <http://www.publiccharters.org/get-the-facts/law-database/states/VA/>.

4 W. Steven Barnett et al., “The State of Preschool 2013.”

5 NACPS, “Measuring Up: Virginia.”

6 State population data calculated using ACS 2012 five-year estimates; U.S. Census Bureau, “American Community Survey,” www.census.gov/acs.

7 Ibid., all children in households, three to seventeen years old.

8 W. Steven Barnett et al., “The State of Preschool 2013.”

9 NACPS, “Measuring Up: Virginia.”

10 VDOE, “Virginia’s Public Charter Schools,” http://www.doe.virginia.gov/instruction/charter_schools/charter_schools.shtml.

11 Ibid.

12 VDOE, “Virginia Preschool Initiative Payments,” Appropriation, Section 4, http://www.doe.virginia.gov/instruction/early_childhood/preschool_initiative/appropriation_act_language.pdf. VDOE allots localities a lump sum of funding based on a rate of \$6,000 per unserved at-risk student for full-day services and \$3,000 for half-day services. Programs are required to secure a local match. The match amount depends on the features of the locality but cannot exceed 50 percent.

13 VDOE, “Total Expenditures for Operations,” http://www.doe.virginia.gov/administrators/superintendents_memos/2013/085-13a.pdf.

Washington

Background

Early Childhood Education and Assistance Program (ECEAP)

ECEAP is an early childhood program for three- and four-year-olds, with priority for children who are four years old by August 31.¹ ECEAP accepts children from families with incomes below 110 percent of the federal poverty level, though up to 10 percent of children can come from families above the income threshold if they exhibit environmental or developmental risk factors. Children who are homeless, in foster care, or in families receiving specific child protective services and with the lowest FPL are prioritized for enrollment.²

The Washington State Department of Early Learning administers ECEAP through a competitive grant program. Public and private nonsectarian organizations are eligible to offer ECEAP.³ Charter schools can only offer ECEAP through an affiliated pre-K program.⁴

Charter schools in Washington

Washington allows new and conversion charter schools. The Washington Charter School Commission and certain local school boards serve as authorizers in Washington State.⁵ The state's charter school law, passed in 2012, allows the creation of up to forty charter schools in five years.⁶ The state's first charter school opened in fall 2014; nine more schools are approved to open by 2016.

Process for Accessing Pre-K Funds

Providers interested in offering ECEAP apply for funding through a competitive application process. Applications are reviewed and scored by a committee of external stakeholders and Department of Early Learning staff. Each application is assigned points based on specific application criteria, and the successful applicants are awarded a number of slots. The new ECEAP contractor then submits an implementation plan and attends required trainings before starting ECEAP services. To continue receiving funding, contractors must comply with all program requirements, submit funding renewal applications every two years, and complete an annual self-assessment.⁷



TOTAL SCORE

10/50

Washington's climate for charter schools to offer pre-K is **not hospitable**

- − There are state statutory or regulatory barriers to charter schools accessing state funding for pre-K.
- + Compared to K–12 funding levels, pre-K program funding is sufficient to attract charters.
- − The size of the state pre-K program limits charter access to funding.
- + The funding, application, and approval processes do not create barriers to charter access.
- − Automatic enrollment from charter pre-K to kindergarten is prohibited in legislation or practice.



Barriers

Are there any statutory or regulatory barriers to charter schools accessing state funding for pre-K?

 **Yes.** Washington’s charter school legislation defines a charter school as “a public, common school offering any program or course of study that a non-charter public school may offer, including one or more of grades kindergarten through twelve,” which the state interprets to mean that charter schools cannot offer pre-K directly. Further, the state’s common school funding law only allows charter schools to receive state funding for students over age five, which prevents charter schools from receiving state school funding formula funds for preschoolers.

The ECEAP legislation, which pre-dates Washington’s charter school law, does not explicitly list charter schools as an eligible provider. The Department of Early Learning has determined that charter schools can apply for ECEAP funding if the school demonstrates that it can meet ECEAP requirements, including contract provisions, child care licensing requirements, and performance standards.⁸ If a charter school met these criteria, it could offer pre-K as an affiliated program. No charter schools in Washington currently offer pre-K.

Is the funding level of the state pre-K program a barrier to charter access?

 **No.** The funding level is not a barrier to charters offering pre-K in Washington. Charter schools that offer an affiliated ECEAP program, even if only for part-day services, receive more than charter schools in the state receive to serve K-12 students.

LOCAL INITIATIVES: SEATTLE PRESCHOOL PROGRAM

In November 2014, Seattle voters passed a ballot initiative to raise property taxes to fund a preschool demonstration project for 2,000 three- and four-year-olds by 2018–19. The program will be free for all children from households earning less than 300 percent of the federal poverty level. Tuition for other families will be on a sliding scale. Initially, the program is funding pre-K spaces only in existing preschool programs, including existing public schools and community-based providers—so new providers, including charter schools, are not currently able to access funds.

Source: City of Seattle, “Seattle Preschool Program Action Plan: A Blueprint for Narrowing the Opportunity and Achievement Gap,” http://www.seattle.gov/Documents/Departments/OFE/AboutTheLevy/EarlyLearning/SPP_118114a.pdf.

Is the size of the state pre-K program a barrier to charter access?

 **Yes.** The size of the program is a barrier to charters accessing state pre-K funds. The program only serves 8 percent of all four-year-olds in the state.

Is the application, approval, and/or funding process a barrier to charter access?

 **No.** If charter schools were permitted to offer pre-K, the application, approval, and funding processes would not be barriers to charter access.

Is automatic enrollment from pre-K to kindergarten prohibited in legislation or practice?

 **Yes.** Charter schools that offer pre-K through an affiliated program are not permitted to grant enrollment preference to their pre-K students.

Recommendations

Because Washington State’s charter school law is relatively new, no charter schools have yet pursued ECEAP funding. As the charter sector in Washington State grows, it is likely that some charter operators will seek to include pre-K in their educational offerings, and will encounter the barriers noted above in doing so. To address these barriers, Washington should:

- Amend the state charter law to include pre-K as a grade that charter schools may offer and clarify that charter schools may serve children under age five. If the state decides that charter schools should not receive funding for pre-K through the school funding formula, the legislation should reflect that—but it should not be a barrier to charter schools offering pre-K through other funding streams.
- Revise the ECEAP legislation to explicitly include charter schools as an eligible provider.
- Release guidance that explicitly allows charter schools to automatically enroll pre-K students into their kindergarten program if those students do not pay tuition.



	Early Childhood Education and Assistance Program (ECEAP)	Charter schools in Washington
Year created	Launched in 1985 ⁹	Charter law enacted in 2012 ¹⁰
Children in state	178,069 three- and four-year-olds in Washington ¹¹	1,312,077 school-age children in Washington ¹²
Children served	10,091 children served 3 percent of three-year-olds 8 percent of four-year-olds ¹³	Ninety-eight students served ¹⁴ <1 percent of school-age population One charter school ¹⁵
Charters offering pre-K	No charter schools in Washington offer pre-K.	One charter school in Washington offers an elementary program.
Funding	Providers receive \$7,331 (part-day), \$9,868 (full-day), and \$15,111 (extended-day) per pupil to offer ECEAP. ¹⁶	Charter schools receive \$6,850 per pupil to serve K–12 students. ¹⁷

Endnotes

1 Programs are required to offer a minimum of 320 program hours per year.

2 Washington State Department of Early Learning, “Who is Eligible?” <http://www.del.wa.gov/care/find-hs-eceap/eligible.aspx>.

3 Washington State Legislature, “Early Childhood Education and Assistance Program, Chapter 170-100 WAC,” <http://app.leg.wa.gov/WAC/default.aspx?cite=170-100&full=true>.

4 An affiliated pre-K program is one that a charter school operates through a separate, but affiliated, entity or organization.

5 National Alliance for Public Charter Schools (NAPCS), “Measuring Up: Washington,” <http://www.publiccharters.org/get-the-facts/law-database/states/WA/>.

6 Washington Secretary of State, “Initiative Measure No. 1240,” http://sos.wa.gov/_assets/elections/initiatives/FinalText_274.pdf.

7 Interview with Washington Office of Early Learning, December 5, 2014.

8 Ibid.

9 W. Steven Barnett et al., “The State of Preschool 2013.”

10 NAPCS, “Measuring Up: Washington.”

11 State population data calculated using ACS 2012 five-year estimates; U.S. Census Bureau, “American Community Survey,” www.census.gov/acs.

12 Ibid., all children in households, three to seventeen years old.

13 W. Steven Barnett et al., “The State of Preschool 2013.”

14 First Place Scholars Charter School, “Fast Facts,” <http://fpscholars.org/wp-content/uploads/2014/09/FPSCS-Fast-Facts.pdf>.

15 Washington State Charter Schools Association, “Explore Charters,” <http://wacharters.org/explore-charters/>.

16 Interview with Washington Office of Early Learning, December 5, 2014.

17 Interview with Washington Charter Association, December 15, 2014.

Wisconsin

Background

Wisconsin Four-Year-Old Kindergarten (4K)

4K is a half-day program for four-year-olds. Districts that opt into offering 4K must enroll all interested four-year-olds in the district, regardless of income.

Wisconsin funds 4K as part of its state school funding formula. All public schools in Wisconsin, including charter schools, can receive per-pupil funding for 4K. Districts, including 2R charter schools (a type of charter school authorized in state law), are the only entities that can directly receive state funding for 4K, but they may choose to subcontract with private child care centers, community-based programs, or Head Start agencies to deliver services. The state also funds four-year-old kindergarten for participating students at private schools through the Wisconsin Parental Choice Program.

Charter schools in Wisconsin

There are three types of charter schools in Wisconsin:

- Instrumentality: Charter schools that are authorized and operated by a school district. All personnel of instrumentality charter schools are considered employees of the district.¹
- Non-instrumentality: Charter schools that are authorized, but not operated, by a school district. Personnel are considered employees of the charter school.²
- 2R or independent: Charter schools that operate completely outside the school district. These charter schools are authorized by UW-Milwaukee, Milwaukee Area Technical College, Common Council of the City of Milwaukee, and UW-Parkside.³

As of 2013–14, Wisconsin has 187 instrumentality charter schools, thirty-one non-instrumentality charter schools, and twenty-three 2R charter schools.⁴

Process for Accessing Pre-K Funds

Charter schools that are interested in offering 4K must be approved by their authorizer to do so (charter schools are eligible to offer 4K as long as it is part of the grade span outlined in their charter). 2Rs submit their 4K count to the Department of Public Instruction and receive funding directly from the state. Other charter schools that are approved by their authorizer to offer 4K submit their counts to and receive funding from their authorizing school district.



TOTAL SCORE

42/50

Wisconsin's climate for charter schools to offer pre-K is **hospitable**

- + There are no state statutory or regulatory barriers to charter schools accessing state funding for pre-K.
- Compared to K–12 funding levels, low pre-K program funding makes offering pre-K less attractive to charters.
- + The size of the state pre-K program does not limit charter access to funding.
- + The funding, application, and approval processes do not create barriers to charter access.
- + Automatic enrollment from charter pre-K to kindergarten is not prohibited in legislation or practice.



Charter schools receive all per-pupil funding based on the average of two annual student counts that take place in September and January. 2R charter schools that enroll 4K students receive between 50 percent and 60 percent of the K–12 per-pupil funding amount.

Barriers

Are there any statutory or regulatory barriers to charter schools accessing state funding for pre-K?

 **No.** Neither the charter law nor the 4K legislation explicitly permits charter schools to offer 4K. In practice, however, all charter schools are eligible for 4K funding if 4K is listed in their charter. More than seventy charter schools in Wisconsin offer 4K. Nineteen of these schools are 2R charter schools. All 2R charter schools that offer elementary grades also offer 4K. The rest are instrumentality or non-instrumentality schools.⁵

Is the funding level of the state pre-K program a barrier to charter access?

 **Yes.** Low pre-K program funding, compared to K–12 funding levels, makes pre-K less attractive to charters. The state only requires and funds part-day services, but charter school operators generally offer full-day programming to maintain recruitment and enrollment numbers. As a result, charters must absorb the other costs of a full-day program. Charter funding levels for K–12 are lower than district schools, however, which makes it even more financially difficult for charter schools to offer pre-K.

Is the size of the state pre-K program a barrier to charter access?

 **No.** The size of the program is not a barrier to charters accessing state pre-K funds. The program serves about 63 percent of all four-year-olds in the state.

Is the application, approval, and/or funding process a barrier to charter access?

 **No.** The application, approval, and funding processes are not barriers to charter access.

Is automatic enrollment from pre-K to kindergarten prohibited in legislation or practice?

 **No.** Charter schools that offer 4K as part of their charter can automatically enroll students from 4K into their

five-year-old kindergarten program without requiring those students to enter an enrollment lottery.

Recommendations

In general, charter schools in Wisconsin have much greater access to state pre-K funding than their counterparts in many other states. But funding remains a significant barrier. To address this barrier, the state should:

- Revise the charter school legislation to explicitly permit charter schools to offer pre-K.
- Improve funding equity for charter schools in grades K–12.
- Allow charter schools that serve low-income students to access child care subsidies for eligible children—and waive the more burdensome requirements associated with child care licensing for charter schools that offer 4K programs.



	4-Year-Old Kindergarten (4K)	Charter schools in Wisconsin
Year created	Launched in 1848 ⁶	Charter law enacted in 1993 ⁷
Children in state	146,516 three- and four-year-olds in Wisconsin ⁸	1,121,878 school-age children in Wisconsin ⁹
Children served	48,590 children served 0 percent of three-year-olds 63 percent of four-year-olds ¹⁰	47,689 students served 4.3 percent of school-age population 245 charter schools ¹¹
Charters offering 4K	Seventy-three charter schools in Wisconsin offer 4K. ¹²	108 charter schools in Wisconsin offer elementary programs. ¹³
Funding	Independent/2R charter schools receive between \$4,037 and \$4,845 per pupil to offer 4K. ¹⁴	Charter schools receive \$8,075 per pupil to serve K–12. ¹⁵

Endnotes

1 Margaret McMurray and Scott Eagleburger, “Statutory Report Series: Legislative Report on Charter Schools, 2012–2013” (Madison, WI: Wisconsin Department of Public Instruction), http://sms.dpi.wi.gov/sites/default/files/imce/sms/pdf/legreport_12_13.pdf.

2 Wisconsin Department of Public Instruction, “Wisconsin Charter Schools Yearbook: 2014–2015,” September 2014, <http://sms.dpi.wi.gov/sites/default/files/imce/sms/pdf/2014-15yearbook.pdf>.

3 Wisconsin Department of Public Instruction, “Charter Schools in Wisconsin,” <http://sms.dpi.wi.gov/charter-schools>. UW-Parkside authorizes one school in Racine, WI; all other charter schools exist in Milwaukee. The Milwaukee Public Schools, Milwaukee Area Technical College, Common Council of the City of Milwaukee, and UW-Parkside can only authorize charter schools in Milwaukee County (see also: National Alliance for Public Charter Schools (NAPCS), “Measuring Up: Wisconsin,” <http://www.publiccharters.org/get-the-facts/law-database/states/WI/> and the Wisconsin State Legislature, <https://docs.legis.wisconsin.gov/statutes/statutes/118/40/2r/bm>). The UW-Milwaukee can authorize charter schools in Milwaukee County and the four adjacent counties: Racine, Waukesha, Washington, and Ozaukee Counties.

4 “Wisconsin Department of Public Instruction, “Wisconsin Charter Schools Yearbook: 2014–2015.”

5 Ibid.

6 W. Steven Barnett et al., “The State of Preschool 2013: State Preschool Yearbook” (New Brunswick, NJ: National Institute for Early Education Research, 2013), <http://nieer.org/sites/nieer/files/yearbook2013.pdf>.

7 NAPCS, “Measuring Up: Wisconsin.”

8 State population data calculated using ACS 2012 five-year estimates; U.S. Census Bureau, “American Community Survey,” www.census.gov/acs.

9 Ibid., all children in households, three to seventeen years old.

10 W. Steven Barnett et al., “The State of Preschool 2013.”

11 NAPCS, “Measuring Up: Wisconsin.”

12 Wisconsin Department of Public Instruction, “Wisconsin Charter Schools Yearbook: 2014–2015.”

13 Wisconsin Department of Public Instruction, “Currently Operating Charter Schools: School Management Services,” <http://sms.dpi.wi.gov/charter-schools/current>.

14 Schools other than independent/2R charter schools receive general state aid funding for 4K based on the aggregate costs of operating the program, rather than a flat per-pupil amount.

15 The per-pupil rate for instrumentality and non-instrumentality charter schools is negotiated with the authorizing school district. This number is for 2R charter schools, outlined in legislation (see Wisconsin State Legislature, <https://docs.legis.wisconsin.gov/statutes/statutes/118/40/2r/e/2n?view=section>).

Appendix A: Methods

This study uses mixed methods research to determine the degree to which state pre-K and charter school policies do or do not allow charter schools to serve preschoolers. We rely on both quantitative and qualitative data to inform our understanding of the barriers and recommendations in each state and across our sample of states.

Sample

We included in our study sample all states with both a state-funded pre-K program and a charter law as of spring 2014. Figure A-1 lists the thirty-five states (and the District of Columbia) that constitute our final sample.

Figure A-1. States in Sample

Alaska	Georgia	Michigan	Oklahoma
Arizona	Illinois	Minnesota	Pennsylvania
Arkansas	Indiana	Missouri	Rhode Island
California	Iowa	Nevada	South Carolina
Colorado	Kansas	New Jersey	Tennessee
Connecticut	Louisiana	New Mexico	Texas
District of Columbia	Maine	New York	Virginia
Delaware	Maryland	North Carolina	Washington
Florida	Massachusetts	Ohio	Wisconsin

We define “state-funded pre-K program” as any state-funded or state-passed initiative that provides or requires pre-K programming for some or all of the state’s four-year-olds. We do not include information on other pre-K options in the state—such as state-funded or federally funded Head Start—or programs funded through Title I of the Elementary and Secondary Education Act (ESEA) or the Individuals with Disabilities Education Act (IDEA) Part C. We intentionally excluded from our sample states that only used state pre-K funds to expand Head Start access, such as Oregon. We also excluded states that did not have existing charter laws at the time we initiated the study. Alabama was excluded because it had not yet passed Senate Bill 45, which now permits charter schools in the state.

States with Multiple Funding Streams or Programs

Several states have multiple state funding streams or programs for pre-K; in those cases, we selected one per the rationale in Table A.2 below.

Table A-2. Rationale for Including Particular Funding Stream or Program in States with Multiple Pre-K Programs

State Pre-K Program	Selection Rationale
California: California State Preschool Program (CSPP)	State is assessed on this program because it is the larger program in the state and/or designed for public school settings (as opposed to community-based child care providers).
Iowa: Statewide Voluntary Preschool Program (SWVPP)	
Kansas: State Preschool Program (SPP)	
South Carolina: 4K	
Minnesota: Early Learning Scholarships (ELS)	State is assessed on this program because it does not collect data on children served by its other preschool funding program, which flows exclusively through school districts and can also be used for non-pre-K purposes. Minnesota also supplements Head Start, but this program is not included in our analysis because funds are available only to current grantees of the federal Head Start program.
Missouri: House Bill 1689	State is assessed on this program because, once funded, it will be the primary funding stream for charter schools to offer pre-K.
Connecticut: Charter per-pupil funds	State is assessed on this funding stream because the state established this path specifically for charter schools to access pre-K funds, as they do not access funds through the state pre-K program.
Massachusetts: Charter per-pupil funds	
Maine: Charter per-pupil funds	
New York: Statewide Universal Full-Day Prekindergarten (SUFP)	State is assessed on this funding stream because it is the only funding stream from which charter schools are able to directly access funds.
Louisiana	State is assessed on all programs, as they are similar along the indicators we consider.

Research Questions

Each state profile follows a similar structure and contains comparable information based on our research questions:

- Can charter schools offer state-funded pre-K?
- How many charter schools serve preschoolers?
- What type of barriers prevent charter schools from offering pre-K?

For each, we collected data on a number of topics, outlined below. All data are from the most recent year available (typically the 2013–14 school year), and were collected between March and December 2014.

For our first research question, we collected the following data on the state-funded pre-K program and charter schools in each state:

- Year enacted or launched
- Number and percentage of total children served
- Per-pupil funding amount that providers receive through the state pre-K program
- Daily program duration (half- or full-day programming)
- Child eligibility information (age, income, and/or other risk factors)
- Types of providers eligible to offer the program
- Administering agency
- How the funding is administered (formula or competitive grant)
- Information on any locally funded pre-K initiatives

We also collected the following data for charter schools in the state:

- Year the state’s charter law was enacted
- Number and percentage of total children served by charter schools
- Number of charter schools in the state that offer pre-K
- Number of elementary charter schools in the state
- Per-pupil funding amount that charter schools receive to serve K–12 students
- Types of charter schools permitted
- Charter school authorizers in the state

For our second research question, we collected the following data:

- Number of elementary charter schools in the state
- Number of charter schools that offer pre-K

For our third research question, we reviewed the following data:

- Charter school and pre-K legislation and agency policies, as well as state interpretation of those policies
- The application, approval, and funding processes for providers—including charter schools, if applicable—to access pre-K funding

Based on the above, we identified key barriers to charter schools' ability to offer pre-K in each state and made state-specific recommendations for addressing those barriers. See Part 4 of this report for a description of how we define and evaluate state barriers.

Sources of Quantitative Data

The 2013 National Institute of Early Education Research (NIEER) *State of Preschool* report provided data on the launch year of the state pre-K program for most states, along with the number and percentage of children served by each program.¹ For several states, the state contact we interviewed (see below) also submitted a revised number of children served or slots funded. (Endnotes in each profile clarify whether the relevant source is NIEER or a state contact.)

We calculated the number of three- and four-year-olds and the number of school-age children in the state from the American Community Survey (ACS) 2012 five-year estimates.² For the purposes of this report, we define school-age children as being between the ages of three and seventeen.

In all state profiles, the 2015 National Association of Public Charter Schools (NAPCS) *Measuring Up to the Model* report provided data on the enactment year of the state's charter law, the number of children served, and the number of charter schools.³ We calculated the percentage of school-age children served by charter schools using the numbers provided by NAPCS and the ACS 2012 five-year estimate of school-age children.

We used the University of Arkansas's 2014 report *Charter School Funding: Inequity Expands* to determine the amount of funding that charter schools in each state receive to serve K-12 students.⁴

State sources provided all other quantitative data. These include interviews with state contacts and/or data available publicly on a state agency's website. (See Appendix B for an explanation of the difficulty in determining the number of charter schools that offer pre-K and the pre-K funding amount.)

Sources of Qualitative Data

Most of the qualitative data were collected from state statutes, regulations, guidance, agency policies, and interviews with state contacts. For each state, we reviewed the state's charter school and pre-K program legislation and any other relevant program materials to answer our research questions. To complement and confirm our desk research, we interviewed a variety of state experts as needed, including representatives from the state offices administering the pre-K and charter school programs, state charter school associations, early education and charter school advocacy organizations, charter school operators, administrators of charter school pre-K programs, and others. We conducted interviews between July 2014 and March 2015.

State Review

After synthesizing the data, we vetted the state profiles with multiple sources in each state, including at least one from the state charter school office and one from the office that administers the state pre-K program. We asked the reviewers to flag any factual inaccuracies. Overall, the profiles reflect input and feedback from more than 120 experts.

The final content in the state profiles, however, reflects author discretion. We did not universally accept feedback from state reviewers. Specifically:

- We retained the data on charter schools, students served, and funding provided by the NAPCS and University of Arkansas reports in order to maintain comparability across states.
- We incorporated some but not all feedback from reviewers on the barriers and recommendations. In several states, for example, reviewers disagreed with our recommendations to regularly re-compete existing pre-K funding and to require districts that receive pre-K funding to equitably consider charter schools in allocating funding.

More detailed information on pre-K program requirements and how states monitor pre-K program quality is available by request. To request this information for a specific state, please send an email to thegadfly@edexcellence.net.

Endnotes

- 1 W. Steven Barnett et al., “The State of Preschool 2013: State Preschool Yearbook” (New Brunswick, NJ: National Institute for Early Education Research, 2013), <http://nieer.org/sites/nieer/files/yearbook2013.pdf>.
- 2 U.S. Census Bureau, “American Community Survey,” www.census.gov/acs.
- 3 National Alliance for Public Charter Schools (NAPCS), “Measuring Up,” <http://www.publiccharters.org/get-the-facts/law-database/>.
- 4 Meagan Batdorff et al., “Charter School Funding: Inequality Expands” (Fayetteville, AR: University of Arkansas Department of Education Reform, School Choice Demonstration Project, April 2014), <http://www.uaedreform.org/wp-content/uploads/2014/charter-funding-inequity-expands-ar.pdf>.

Appendix B: Data Limitations

In collecting data for this report, we encountered substantial gaps in states' data and information systems related to charter schools and/or pre-K programs.

Simply determining the number of charter schools that offer pre-K in a given state proved to be a challenge for a number of reasons. For one, the information rarely exists in one source. A state charter school office might release a list of the state's charter schools, for example, but it may only categorize those schools by grade span (e.g., "elementary") rather than specific grades served; or it may exclude pre-K because it is considered a "program" instead of a grade. A state's early learning office could release a list of the providers that receive pre-K funding, but not include information about provider types. In some states, where districts or other entities receive pre-K funding but subcontract with community-based providers or charter schools to offer pre-K, information may be collected and published only on the entities that receive funding directly from the state—and not their subcontractors. In some cases, it was possible to approximate the number of charter schools that offer pre-K by cross-referencing the charter school and pre-K provider; but this process excluded charter schools that offer pre-K through other means, such as child care subsidies, tuition, and local pre-K initiatives (e.g., Denver Public Preschool). As a result, we relied heavily on interviews with state contacts to collect supplemental information on the number of charter schools that offer pre-K.

We faced similar issues determining the pre-K funding amount in each state. Our goal was to capture the amount a provider could expect to receive per pupil as a provider for the state-funded pre-K program. But in many states, there is no single per-pupil funding amount. Instead, the amount of funding a provider receives can depend on several state-specific factors that vary from year to year and across types of providers (such as the total state appropriation for pre-K in a given year or the pre-K funding structure in the state). For example, Arkansas allocates funding to providers based on a consistent per-pupil rate; Wisconsin uses a per-pupil rate for certain charter schools and funds others based on the projected costs of the program; and Michigan uses a formula that awards funds based on multiple rounds and rankings. Once again, we had to rely heavily on interviews with state contacts to source the pre-K funding provided in the state profiles.

Two additional issues affect the accuracy of our data.

Affiliated programs are pre-K programs that are operated by an organization that is affiliated with a charter school, rather than as a part of the charter school itself (see *What Are Affiliated Pre-K Programs?*, page 16). No state in our sample collects data on the number of charter schools that offer pre-K through an affiliated program. Thus, even state contacts were generally unable to provide a complete answer on the number of charter schools offering pre-K. Similarly, affiliated programs added another layer of complexity in determining the amount of funding a charter school or its affiliated organization would receive as a state pre-K provider.

Finally, as with any data collection, obtaining the most up-to-date data was an issue. Even when we could find the appropriate information, it was not always clear whether it was still accurate. This was a particular challenge for our work, since charter schools and state pre-K programs sometimes exist under the oversight of different agencies that may collect and report data at different points in the year.

Appendix C: Head Start and Pre-K

	Head Start
Year created	Launched in 1965
Children in state	3,991,690 four-year-olds in the United States 3,989,538 three-year-olds in United States
Children served	903,679 children served 424,729 four-year-olds (10.6 percent) 316,287 three-year-olds ¹ (7.9 percent)
Charters offering Head Start	Not available
Funding	Negotiated by grantee; Head Start spends an average of \$8,408 per child served in the program.

Background

Head Start is a federally funded, comprehensive child development program that provides early learning and development, health, nutrition, family support, and other services to children who are living below the poverty line, homeless, in foster care, or eligible for public assistance. Up to 10 percent of program seats may be awarded to children from families with incomes above the poverty line, but who would nonetheless benefit from Head Start services.² At least 10 percent of seats must be allocated to children with disabilities. Each Head Start agency must establish its own selection criteria and process for enrolling children from among eligible applicants.

Head Start funds flow directly from the federal government to local grantees; the Office of Head Start (OHS), located within the U.S. Department of Health and Human Services (HHS), oversees grants to some 1,600 local grantees. Eligible grantees may include public and private nonprofit organizations (such as community-based and faith-based organizations) or for-profit agencies within a community that wish to compete for funds. Grantees must comply with the requirements of the Head Start Performance Standards. OHS conducts regular monitoring to ensure programs' compliance with the standards. Under the 2007 Head Start reauthorization, this monitoring includes the use of the Classroom Assessment Scoring System (CLASS) to observe adult-child interactions.

A smaller program, Early Head Start, provides comprehensive child development services to infants, toddlers, and pregnant women.

Can Charter Schools Serve As Head Start Grantees?

Are charter schools technically permitted to offer Head Start?

Yes. Charter schools meet the definition of public or private nonprofit organizations that are eligible to apply for Head Start funding.

Do charter schools, in fact, offer Head Start?

The Department of Health and Human Services does not currently list any charter schools as Head Start grantees or delegates. The list of Head Start centers includes three charter schools in Texas and the District of Columbia.³

Additional charter schools, however, may have affiliations with Head Start programs without being an official grantee or delegate agency. For example, some community organizations that are Head Start grantees have also opened charter schools. While these agencies' Head Start programs are operated by organizations that are legally distinct from the charter schools they founded, the agencies may encourage children who participated in the Head Start program to enroll in affiliated charter schools. Other Head Start agencies have developed informal relationships with charter schools through which they inform families about local charter school options and support them in pursuing enrollment. Charter schools may also serve Head Start students through "partnership" arrangements, in which a given charter school is not a grantee or delegate of a Head Start agency but has a relationship through which it provides educational services to Head Start students. Unfortunately, there is no official tracking of these various affiliations, making it impossible to know the extent to which charters and Head Start grantees are collaborating nationally.

What are the practical steps for offering Head Start?

Prior to the 2007 reauthorization, entities receiving Head Start funds remained grantees in perpetuity unless they committed a significant violation of the program's rules. Under the reauthorization, however, all Head Start grants were converted to renewable five-year grants. Grantees operating "high-quality and comprehensive" Head Start programs have their grants automatically renewed. Those that are not, however, must compete to renew theirs, a process known as "designation renewal." The Office of Head Start developed criteria to determine whether or not grantees are operating "high-quality and comprehensive" Head Start programs. Under these criteria, Head Start grantees must compete to renew their grants if they meet any of seven criteria: 1) deficiencies identified in Head Start monitoring review, 2) license revoked by state or local agency, 3) suspension by HHS, 4) disbarment by any state or federal agency, 5) significant financial risk, 6) failure to establish goals for improving children's school readiness, or 7) low CLASS scores.

Each year, HHS announces the list of grantees that have been identified for designation renewal. Any eligible entity serving children in the community who are also served by an identified grantee may apply for Head Start funds; applicants may apply for the full grant amount held by the previous grantee or for only a portion of the grant amount (to serve a subset of the students or geographic area served by the previous grantee). Applicants must complete an extensive application demonstrating their ability to meet Head Start performance standards. There are over 1,400 performance standards covering all aspects of Head Start programming and operations, including financial management, governance, eligibility criteria and enrollment, matching requirements, transportation, child health and safety, child health and development services, educational programs, nutrition, mental health services, family partnerships, community partnerships, staffing, and program management. Successful applicants are typically announced in the spring and must negotiate their awards with HHS prior to beginning work with students in August.

Charter schools may also serve Head Start students by functioning as a delegate—or subcontractor—for a larger Head Start agency that receives a direct grant from the federal government. Delegate agencies must still comply with all Head Start performance standards.

Can a charter school directly enroll students from its pre-K program (Head Start) into its kindergarten program?

Enrollment of children from a Head Start program to a charter school is subject to state law relating to charter enrollment.

Barriers and Recommendations

Although some charter schools have successfully served Head Start students as delegates, several barriers prevent more charter schools from applying for or receiving Head Start funding:

- **Regulatory, compliance, and administrative requirements.** These requirements are burdensome and impose a steep learning curve on prospective new Head Start grantees.
- **Comprehensive services.** Some charter schools may lack the capacity to deliver the health, nutrition, and other comprehensive services that Head Start grantees are required to provide.
- **Limited geographic reach.** The designation renewal process has created some opportunities for new providers to serve Head Start children, but these opportunities are limited to places where an existing grantee falls short of standards. Charter schools located elsewhere can access Head Start funds only by becoming delegate agencies.
- **Short application and launch timelines.** Once HHS releases the list of grantees subject to designation renewal, other potential applicants have a relatively short period of time to develop their applications. Similarly, HHS announces preliminary grant awards in spring or early summer and expects successful applicants to begin serving children the following August. These timelines for both application and launch are much shorter than is typical for charter applications, and they may make it difficult for new operators—including charter schools—to apply.
- **Policy mismatches and limited understanding of charter schools.** Some Head Start policies and processes may conflict with the conventional requirements and practices of charter schools. For example, while charter schools are required to use a lottery in admitting students, Head Start requires grantees to rank children based on risk factors and admit the neediest children first. Limited understanding of charter schools among grant reviewers tends to exacerbate these conflicts.

Federal policymakers can address these barriers by:

- Simplifying and streamlining the Head Start performance standards.
- Adjusting the designation renewal timeline to lengthen planning and transition time for new grantees, and planning more carefully for grantee transition.
- Ensuring that review teams for Head Start applications by charter schools include at least one individual with knowledge of charter schooling.

- Establishing a process to waive performance standards when a grantee can make a compelling case that doing so will advance children’s learning and development or enable the grantee to ensure that Head Start students are able to move on to a high-quality elementary school.
- Tracking information on the number of charter schools that offer Head Start, either as direct grantees or delegate agencies.

Endnotes

1 W. Steven Barnett et al., “The State of Preschool 2013: State Preschool Yearbook” (New Brunswick, NJ: National Institute for Early Education Research, 2013), <http://nieer.org/sites/nieer/files/yearbook2013.pdf>.

2 Head Start programs may fill an additional 35 percent of their seats with children living between 100 and 130 percent of the poverty level, but only if they implement outreach and enrollment policies to ensure that they are meeting the needs of income- or categorically eligible children and that eligible children are served first.

3 U.S. Department of Health and Human Services, Head Start Program Directory, April 3, 2015, http://eclkc.ohs.acf.hhs.gov/hslc/hslc_grantee_directory.